

**BOLTON PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**7:30 p.m., Wednesday, November 9, 2022**  
**Virtual**  
**Minutes & Motions**

**Members Present:** Chairman Tom Manning, Vice Chairman James Copley, Arlene Fiano, Jeremy Flick, Thomas Robbins, Jeffrey Scala (joined at 7:35 p.m.), and Alternates Tom Crockett, Rodney Fournier

**Members Excused:** Alternate Kawan Gordon

**Staff Present:** Patrice Carson, AICP, Consulting Director of Community Development, Michael D'Amato, Interim Zoning Enforcement Officer, and Yvonne Filip, Recording Secretary

**Others Present:** Nathaniel Fleming, Diane Denunzio, Asif Choudry, Gregg Fedus, Steven Clark, Andrew Ladyga, Gregg Fedus, Asim Etem

**1. Call to Order:** T. Manning called the meeting to order at 7:31 p.m. and seated T. Crockett for J. Scala; R. Fournier was seated for the vacancy of the Regular Member.

**2. Approval of Minutes: October 12, 2022, Regular Meeting Minutes**

**T. Crockett moved** to approve the minutes of the October 12, 2022, Regular Meeting. **A. Fiano seconded.** Vote: 7-0-0. Motion passed.

**3. Residents' Forum:** No one present wished to speak on a non-agenda item.

**4. Staff Reports**

M. D'Amato reported he continues to work on zoning violations and the normal permitting work.

T. Manning unseated T. Crockett with the arrival of J. Scala.

**5. Public Hearings (begin at 7:30 p.m.)**

**a. Modification of Special Permit Application for Gas Station/Convenience Store, 271 Hop River Road, Nathaniel Fleming (#PL-22-8)**

Gregg Fedus representing the applicant and the owner of the property, Asif Choudry, stated the only outstanding issue is the improvement bond. Staffs' concerns have been addressed. A public act talks about municipalities bonding for certain improvements or not. Since 2012 bonding for site improvements has not been required; only bonding for erosion control. These are private improvements on private property and the \$347k bond the town engineer is recommending is not following the public act. G. Fedus called Jeff Jacobson who was not aware of the public act but other towns he represents do not require bonds on private property. G. Fedus and the owner ask that the validity of the bond requirement be reviewed by the Town Attorney. If he states it is legitimate, we will go from here.

G. Fedus stated they applied to ZBA for the canopy sign. The hearing was continued because the ZBA thought the PZC may be able to approve the canopy sign. P. Carson stated that signage on the canopy is not allowed and therefore neither the PZC nor the ZEO could approve it.

P. Carson said Zoning Regulation Section 16A.4.i. requires a Completion Bond. This bond regulation was amended by the PZC recently and completion bonds on projects have been required regularly. J. Cropley: Is that a public act we are not following? N. Fleming: Uploaded the act to ViewPermit late this afternoon. P. Carson: Checking and does not see anything later than November 7, 2022 on ViewPermit.

G. Fedus: Believes the state changed the bond rule because it did not make sense. If this is an owner's first project they would not have \$347k for bonding. The State concluded if the developer/builder went bust and left the site a mess that there was enough money for the town to secure the site and make it safe with the erosion and sediment control bond. The erosion bond on this project is very low compared to other towns. Perhaps the funds to secure a deserted project site is included in the completion bond in Bolton rather than the erosion bond. A town may or may not allow surety bonds per the public act but Bolton only allows cash bond or letter of credit which is very trying. This is Public Act 11-79 – P. Carson: This clearly allows them. G. Fedus: Public Act 12-182 says the PZC cannot do what Bolton is doing.

T. Crockett: Should we wait for a conclusion from the Town Attorney and vote on this application next month? It seems to make sense to wait until there is agreement. J. Cropley: Should wait until the Town Attorney renders an opinion. P. Carson: The applicant would have to grant an extension to get to the December 14 meeting. G. Fedus: Client is willing to grant the extension to December 14, 2022. Will follow up tomorrow with an email to that effect.

J. Cropley: If we have to change that regulation does it have to go to public hearing? P. Carson: Yes and PZC may want to change the language to cover more in the erosion and sediment bonding if the site gets deserted. G. Fedus: It is not uncommon for towns to be burned on surety bonds. PA 12-182 gives towns an option but for lower amounts this is manageable.

Audience of Citizens: No one wished to comment.

**T. Manning moved** to continue the public hearing on this application #PL-22-8 to December 14, 2022, at 7:30 p.m. via virtual meeting. **J. Scala seconded.** Vote: 7-0-0. Motion passed.

**b. Continuation: Special Permit Application for Bed & Breakfast, 60 Villa Louisa Road, (A Villa Louisa), Asim Etem (#PL-22-7)**

J. Scala recused himself. T. Manning seated T. Crockett.

Applicant Asim Etem was present and asked P. Carson to go over the comments from staff and he will provide replies.

P. Carson: There was discussion of possible additional permanent structures to be build. The applicant responded the only possible structure would be a pool. A. Etem: That is up in the air. If that happens he will apply for a separate pool permit.

P. Carson: Parking plan has been changed to include eight spaces. Two spaces in the garage for the resident(s) and one handicapped space meeting the requirements. Staff comment included that there must be a proper grade from the handicapped space to the entrance of the building. The lighting plan was another concern. A. Etem: The electrician will install the proper lights. He trusts the electrician to know the correct lumens to be used about the concern with light pollution. He thought the engineer addressed that issue. P. Carson: The engineer indicated a lighting plan would be submitted when the fixtures are chosen. They would assure there is no light spillover off the property. The engineer did comment on the landscaping plan requirement to request a landscaping waiver because of the clearing needed for the septic system. Planting in the septic area is undesirable. When you build a commercial property a landscaping plan is required in the regulations. This is a residence with a commercial component. A. Etem: The house will be closer to 4,000 sq. feet than the size mentioned. He would make it as attractive as possible for him and the neighbors.

J. Crolley: When we approve a home business do we require them to landscape? P. Carson: No. J. Crolley: Thinks this is similar to that. PZC can make the presumption he is going to landscape it and it will be something tasteful. He wants people to stay there. It is a wooded lot right now. There are enough woods between him and the neighbor's property. He is in favor of waiving it the landscaping plan requirement. R. Fournier: Thinks the lighting plan would fall in the same category.

J. Flick: Will there be any signage? A. Etem: No, it is a house used part-time for brides and grooms to get dressed and maybe stay overnight. T. Crockett: Is the owner staying there? A. Etem: He will be living there. P. Carson: It is a requirement that this be owner occupied.

P. Carson: Regarding a dumpster and trash pickup – the applicant is not proposing having a dumpster on this property. A. Etem: He has a garbage dumpster and a recycling dumpster for the restaurant next door. He will ask the town if he can use curb side pick-up as with any other house. This is not a full time commercial property.

P. Carson: Sight line issue from the Town Engineer has been corrected on the plan. The catch basin type needs to be changed to allow more intake. There is an erosion and sediment control bond figure to ensure erosion and sediment controls are in place during construction.

Audience of Citizens: No one wished to comment.

**T. Manning moved** to close this hearing. **J. Crockett seconded.** Vote: 7-0-0. Motion passed.

## **6. Old Business**

### **a. Discussion/Possible Decision: Modification of Special Permit Application for Gas Station/Convenience Store, 271 Hop River Road, Nathaniel Fleming (#PL-22-8)**

This public hearing was continued to December 14, 2022 – no action.

### **b. Discussion/Possible Decision: Special Permit Application for Bed & Breakfast, 60 Villa Louisa Road, (A Villa Louisa), Asim Etem (#PL-22-7)**

**T. Manning moved** to approve Asim Etem’s Special Permit for a Bed and Breakfast at 60 Villa Louisa Road, application #PL-22-7, in accordance with the application information and plans submitted as “Site Development Plan Prepared for 60 Villa Louisa Road, LLC, 60 Villa Louisa Road – Bolton, CT” (5 sheets) dated: January 31, 2022, revised through November 04, 2022, Elevation/Architectural Plans (13 sheets) dated: 11-11-21 which is conditioned on the following:

1. This approval is subject to compliance with any comments or requirements of the State Department of Public Health, Eastern Highlands Health District, Fire Marshal, and the Town Engineer.
2. The drainage structure at the bottom of the proposed swale along the driveway shall be changed to a Type C-G catch basin, to allow for more efficient intake of the run-off and to reduce clogging by leaves. Additionally, the drainage outfall should be directed to the existing roadside swale along Villa Louisa Road.
3. A lighting isodiagram will be submitted once final lighting fixtures have been selected to prove the lighting meets the Zoning Regulations. The applicant will adjust/remove any lighting if needed to meet the lighting requirements.
4. This B&B cannot be used as future event space for the neighboring restaurant.
5. There is no dumpster planned for the site. The owner will use dumpsters located at the neighboring restaurant facility under same ownership rather than residential curb side pick up if allowed by the Town.
6. The driveway slope shall meet the requirements under the building code for an accessible path between the accessible parking and the building entrance. Prior to the Issuance of a Certificate of Zoning Compliance, final grading, stabilization and seeding shall be in place or adequate bond filed with the Town.
7. An Erosion Control Bond of \$7,645.00 shall be posted as part of the permit process prior to any work commencing on the site.
8. Prior to the Issuance of a Certificate of Zoning Compliance, one electronic PDF and paper copy of the final as-built survey showing structures, pins, driveways/parking, final floor elevations and spot grades shall be submitted.
9. Additional erosion & sedimentation controls may be required by Town staff as necessitated by field conditions.
10. By acceptance of this approval and its conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

The Planning and Zoning Commission approves the following waiver requested by the applicant:

1. Waive additional landscaping due to the clearing required. A width of approximately 20+ feet of existing woods will be maintained below the proposed septic system on the east side of Villa Louisa Road. Also, new plantings within the septic system area are undesirable. The footprint on the plans Page 3 of 4 show the new house is just over 2,900 square feet including the garage and is a residential structure similar to others in the area.

The Planning and Zoning Commission finds with these conditions the plan meets the requirements of the Bolton Zoning Regulations. **R. Fournier seconded.**

Discussion: J. Flick: The PZC was concerned about egress from the business and the home and mentioned a trail between the two. P. Carson: The footpath is shown on the plan. This was an afterthought and the owner liked the idea of the convenience for walking between the buildings. J. Cropley: The motion says 2,900 sq. feet and the owner just said it was 4,000 sq. feet. T. Manning: The footprint is 2,900 sq. feet. Why are we restricting residential trash pick up? P. Carson: The question was raised as to why he did not have a dumpster. His response is that he has a dumpster at the restaurant. Tonight he said he would ask the town to do curbside pick-up.

**T. Manning amended the motion for item 5:** There is no dumpster planned for the site. The owner will use dumpsters located at the neighboring restaurant facility under same ownership or residential curbside pick-up. **R. Fournier agreed to the amendment.**

Discussion: J. Flick: Is there a cap on the number of occupants that will be staying here? P. Carson: There are five bedrooms in addition to his portion of the house. That is the cap. T. Crockett: Agrees with T. Manning that there should be curbside pick-up allowed. The amended motion gives him the option. If the town says it is okay then the PZC is okay with that. Vote: 7-0-0. Motion passed.

**c. Discussion: Regulations Regarding the Cultivation, Sale, and Distribution of Adult Use Cannabis Bolton PZC (#PL-22-6)**

Consensus of PZC to move this to after New Business.

Staff sent three other towns' regulations and a map of the possible areas in Bolton for such establishments. The PZC previously stated they would consider the GB or I zones for retail establishments. One question was are there any areas that needed separation distances? It does not seem there is anything along the Route 6 area except maybe the Hop River Trail. R. Fournier: Although it is not an open play area, there is the ice rink with kids going in and out. A. Fiano: The map looks fine. These areas should not cause issues if someone wants to put retail in there.

P. Carson: Any question on what was sent? Wethersfield is for a moratorium. North Stonington was effective July 14, 2022. M. D'Amato: For most of those towns included in the packet and for those still being worked on it comes down to separating distances. Cultivation of cannabis has distance requirements to residential structures for odor and for security. The state law allows towns to assess regulations put into place for an initial period on opening with fees allowable for traffic control. Towns cannot regulate delivery services. The regulation draft that was included in the September packet set those distances at 1000' between cannabis establishments and 500' from child care, school, etc.

J. Scala: If we used this list is there any place in town for one? P. Carson: The black blocks on the map would be where it was allowable. A. Fiano: There are no in-home daycares in the adjoining residential areas. J. Scala: Is this more restrictive than for liquor stores? P. Carson: There is a liquor store in a non-business zone and there is a state limit to package stores in town. R. Fournier: The gas station has a permit to sell beer and wine.

P. Carson: The other sample regulation sent to the PZC was from Middletown that was approved in 2021. R. Fournier: Is the objective to determine where the location can be? J. Scala: Is sensing some reluctance of the PZC members to commit for allowing these establishments in town. Is there a consensus of which way to go? J. Scala, T. Manning, and A. Fiano are in favor of allowing them. T. Manning: Likes 500' separating distance more than 1,000'. J. Cropley: If we went to 1,000' there is no place to locate an establishment. D'Amato: The goal is to make sure the regulation that goes to CRCOG covers your intent. You can always increase the distance if there are concerns expressed by the public. J. Scala: This discussion is about the retail business of selling cannabis and creating separating distance from residential buildings. We are regulating the retail sales. Cultivating is another discussion.

J. Scala: Can Staff put pins on the map with those types of establishment along the corridor? P. Carson: Yes. A. Fiano: There is no church, no school, and no daycare in these corridors. P. Carson: There are probably some residences may in the commercial zone as pre-existing, non-conforming. J. Scala: Are we talking about 500' to the property line or to a residence? A. Fiano: Property line? J. Scala: That decreases the amount of space available. P. Carson: If it is town property with no structures it would have to be property line.

A. Fiano: Would like Staff to put together what works best for the town and PZC can go from there. She likes the areas that have been chosen. She likes hearing town staff say 'in their experience they have found' gives her a comfort level.

R. Fournier: There are no package store on Route 6 at the moment because it has been found they do not get enough business there. He is hoping no one will put a cannabis establishment in those areas. J. Flick agreed.

There was consensus from the PZC to have Staff put together a draft regulation.

**d. Other:** There was none.

## **7. New Business**

### **a. Discussion/Decision: Request for Extension of Time to File Plans with Town Clerk under Zoning Regulations Section 16B.5.b.: Special Permit Application for 15,000 SF Pre-Engineered Metal Building Addition For Light Manufacturing, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-22-4)**

P. Carson: This extension is requested so the owner can determine the overall project cost and feasibility.

**T. Crockett moved** to grant a 90-day extension of time from December 13, 2022 to March 13, 2023 to file plans with the Town Clerk's office as allowed by and in accordance with Section 16B.5.b. Endorsement and Filing of the Bolton Zoning Regulations for all approvals granted under Permit #PL-22-4 for Able Coil and Electronics Co., which application and plans were approved by the Planning and Zoning Commission on September 14, 2022. **R. Fournier seconded.** Vote 7-0-0. Motion passed.

J. Scala was reseated.

**b. Appointment of Planning & Zoning Commission Regular Member: To Fill Vacated Term of Regular Member Brittany Clark, Term Ending November 20, 2023**

**R. Fournier moved** to nominate himself to fill the vacated term of Regular Member Brittany Clark ending November 30, 2023. **J. Flick seconded.** T. Manning asked for any other nominations or comments? There were none. Vote 7-0-0. Motion passed.

T. Manning: Can we take up filling the position of an Alternate now? P. Carson: If you have someone to fill that. She suggests you add an item to the agenda. T. Manning: There was consensus of the PZC to add this item to the agenda.

**R. Fournier moved** to nominate Steven Clark to fill the vacated term of Alternate term of Rodney Fournier ending November 30, 2023. **J. Flick seconded.** Vote: 7-0-0. Motion passed.

**c. Other:** There was none.

**8. Correspondence:** There was none.

T. Manning: He will be attending the Regional Planning Commission on November 19, 2022. If anyone wants him to say anything about what Bolton is working on contact him.

Andrew Ladyga, Boston Turnpike: Lives in Coventry and has properties in Bolton along Route 44. He and his wife were awarded two cannabis licenses by the State. Coventry has made it clear that Route 44 is the ideal area for a retail establishment.

P. Carson: Cannabis is a PZC discussion this evening. The PZC is still in a moratorium on this matter. Once regulations are drafted they will be subject to public hearing. If A. Ladyga has suggestions of where he would like to see retail cannabis allowed he should submit those in writing to the PZC to take into consideration. T. Manning: What the Staff has presented to the PZC is available on the town website.

A. Ladyga: There are several people interested in the direction the town wants to go. This has to do with the health and wellness properties of cannabis.

**9. Adjournment**

**J. Cropley moved** to adjourn the meeting at 9:22 p.m. **J. Scala 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.*

**From:** Peter DeMallie <[REDACTED]@boltonct.org>

**Sent:** Friday, December 09, 2022 10:58 AM

**To:** Carson, Patrice <pcarson@boltonct.org>

**Cc:** [REDACTED]

<[REDACTED]>

<[REDACTED]>

**Subject:** Materials for PZC Discussion on Wednesday December 14, 2022 Re: Prospective Use at 180 West Street, Bolton

Patrice – As discussed the other day, at the PZC informal next week I will present three options. The first is for them to conclude that it is an allowable special permit use and we may proceed with an application. Second is for them to consider the attached zoning text amendment for allowing similar uses. And third is for them to alternatively consider the attached zoning text amendment for part-time occupancy by a faith-based non-profit. I gather you will be forwarding the attachment to CRCOG for their review comments.

Peter R. DeMallie  
*President*

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December 8, 2022

Proposed Zoning Text Amendment, Neighborhood Business Zone (NB)

Section 8B.2.b Special Permit. Uses and use categories permitted subject to the issuance of Special Permit by the Planning & Zoning Commission in accordance with Section 16B of these Regulations, and all requirements of the NB Zone and any applicable provisions of these Regulations:

Add:

“18. Other uses and use categories may be approved by the Planning & Zoning Commission as a Special Permit use when the Commission determines said use and use categories to be substantially similar to the uses and use categories permitted above with respect to their type of business, intensity of use or services rendered; or as determined by the Commission to meet the purpose of Section 8B.1 and requirements of Section 8B.2, including compatibility with the character of the neighborhood.”

Or:

“18. On a lot which has been previously developed with a building and parking lot for one of the above uses may be converted to a use occupied on a part-time basis by a faith-based non-profit organization for assembly purposes and, also on a part-time basis, to prepare, assemble and package items to assist individuals or groups in a time of need for off-site distribution. Said use shall be compatible with the character of the neighborhood.”

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Peter R. DeMallie, President  
DESIGN PROFESSIONALS, INC.

11/21/22

To: All Board and Commission Chairs and Department Heads

From: James Rupert, Interim Administrative Officer

Subject: FY 23/24 Budget

I know from conversations with many of you that you have already begun your budget planning for the upcoming fiscal year. We will continue to use the same process and all submissions are required to be signed and submitted electronically to Kathy. The last day for budget submissions is December 23, 2022. It is important for your submissions to be complete and timely since the schedule is tight. For those of you whose departments use specific computer programs please reach out to your vendors and find out what the cost for the upcoming fiscal year will be. If the program is paid for out of the Selectman's budget please get Kathy that information not later than December 15<sup>th</sup> so we have the time to include it in our budget package.

In conversations with the Board of Selectmen and Board of Finance we expect this will likely be a difficult budget season. We also recognize that there are increases to labor and benefit costs as well as goods and services. We ask that you keep your budgets at a level that will not negatively impact our ability to serve the public while being fiscally responsible. Some of you cut your education budgets to near zero last year and I ask that you be sure to have at least some funds to provide opportunities for continuing education. Add and Drop packages will also be necessary. It is likely that budget cuts will be necessary so your input on where your department can best sustain a cut is important. Providing a statement on the drop package that you can't sustain a cut provides no direction or guidance to the Board in the event that a cut is necessary.

If you have something that you think may be a capital request that you have not already submitted please do that ASAP since the CAPA Committee has already begun to meet.

As you prepare your budgets we are requiring that you use the zero based budget approach where each line begins at zero and you build your budget based on the actual projected need for the upcoming fiscal year. Please look at your historical spending in each account going back a couple of years. By doing that it is my hope that we can really hone your budgets in tighter and reduce the need for budget transfers. It is one of the tools the BOS and I use when looking at each budget to decide if or where a cut may be made.

As before your budgets will go to the BOS as you have proposed them. If I have questions or concerns about your budget I will reach out to you individually and if we agree on an edit that edit will be made prior to submission to the BOS. We will provide you with advance notice of when your budget will be going to the BOS and encourage you to come to that meeting.

Please reach out if you have any questions.

James Rupert, Interim Town Administrator

BOLTON BUDGET WORKSHOP			PLANNING & ZONING			NO. 11		
Code 4153	PLANNING & ZONING		Unaudited	Unaudited				
Accounting Codes	Category	Actual Expenditures	Actual Expenditures	Actual Expenditures	Approp. for this year	Actual Expenditures	Request for	Proposed by Selectmen
		2019-2020	2020-2021	2021-2022	2022-2023	7/1/22-11/21/22	2023-2024	2023-2024
51620	Other Payroll - PZC Recording Secretary = avg \$85/meeting x 15 (12 regular & 1 special meetings)	685	1,025	845	1,100	246	1,105	
53200	Professional Educational Training - required PZC Training (\$40-\$60ea x 10)			0	640	0.00	500	
55400	Advertising - legal advertising in The Hartford Courant for decisions (pub 1X = avg \$40 - 1 per month = \$480) and public hearings (pub 2X = avg \$250 - 4 per year = \$1000)	209	0	658	1,500	698.62	1,500	
56120	Office Operation Expenses - PZC hearing signs (\$20.50/ea), general office supplies related to PZC (avg \$500)	0	939	393	900	490.00	900	
58100	Due & Fees - CTFPZC Newsletter & Dues	110	190	140	110	0.00	200	
	<b>Total</b>	<b>1,004</b>	<b>2,154</b>	<b>2,036</b>	<b>4,250</b>	<b>1434.62</b>	<b>4,205</b>	<b>0</b>
<i>The P&amp;Z budget flexes based on activity that comes before the Commission</i>								
<i>An increase in proposals/development activity will increase each of the categories listed above</i>								
<i>A decrease in proposals/development activity will require less expenditure</i>								
Any Change (+/-) in a category please explain. By: Thomas Manning/Patrice Carson								
Signature(s):								

**Decision Package # out of # .**  
*#1 being the most important to fund*

**Department: Planning & Zoning Commission**

**Subject:**

Explain proposed addition here (programs or services added and their effect on hours, etc.):

***We are requesting \$80 above last 2022-23 approved appropriation for Dues and Fees for increase in those costs..***

Explain why this particular item was selected:

Quantify categories that are added/funded:

<b>Budget Category</b>	<b>Addition Amount</b>	<b>Staffing Impact</b>	<b>Comments</b>
Payroll			
Professional/ Technical Services			
Repairs & Maintenance Supplies			
Office Operating Expenses			
Other Supplies			
Equipment			
Other (specify line item) <b>58100 Dues&amp;Fees</b>	<b>80.00</b>	<b>None</b>	<b>Increase in Costs</b>
<b>Total</b>	<b>960.00</b>		

Summary:

***Normal rise in costs for Dues and Newsletter for PZC.***

**Decision Package # out of # .**  
*#1 being the first one to take (least impact)*

**Department: Planning & Zoning Commission**

Explain proposed reduction (programs or services reduced or eliminated and its effect on hours, etc.):

***We are proposing a \$140.00 cut from the Professional Education Training Account.***

Explain why this particular item was selected:

Quantify categories that are reduced:

<b>Expenditure Category</b>	<b>Reduction Amount</b>	<b>Staffing Impact</b>	<b>Remarks</b>
Payroll			
Professional/ Technical Services	<b>140.00</b>	<b><i>Probably none</i></b>	<b><i>Required Training will be cheaper than anticipated</i></b>
Repairs & Maintenance Supplies			
Office Operating Expenses			
Other Supplies			
Equipment			
Other (specify line item)			
<b>Total</b>	<b>200.00</b>		

Summary:

***If this line item is cut, it probably will not impact the work of the Planning & Zoning Commission as some of the training/education that will be required starting this year will be offered free of charge.***

**Proposed Prohibition Language:**

**SECTION 5 – PROHIBITED USES**

**(new)5J:** Any Cannabis Establishment, as defined by PA 21-1 “An Act Concerning Responsible and Equitable Regulation of Adult Use Cannabis” or “RERACA” including but not limited to: Retailer, Hybrid Retailer, Dispensary Facility, Cultivator, Micro-Cultivator, Food and Beverage Manufacturer, Product Packager or Producer. However, for the purposes of this Section, the lawful delivery and/or transportation of Cannabis within Bolton by any person or entity who has obtained and maintains all necessary licenses by the State of CT and, as defined by RERACA shall not be subject to this prohibition.

**Proposed Language to allow by Special Permit:**

**SECTION 10- Golf Courses Special Provisions**

**Golf Courses-10A-10G (to remain)**

**New 10H- Cannabis Establishments**

**1. Purpose**

The purpose of this section is to allow for the comprehensive review and deliberation of cannabis establishments to ensure any cannabis establishment proposed is in harmony with and will not have a detrimental effect upon the surrounding area and, that both the operation and location are protective of public health and welfare.

**2. Definition of Terms:**

For the purposes of this section only, the terms referred to herein shall be defined and used as outlined and defined in PA-21-1 (SB 1201) as amended.

**Cannabis Establishment:** a non-profit, person(s) or business entity otherwise engaged in an activity which would be defined as a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, and product package, delivery service or transporter.

**Cannabis Hybrid Retailer:** A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

**Cannabis Retailer:** A person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and sell cannabis to consumers and research programs.

**Cultivator:** A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

**Micro-cultivator:** A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of DCP.

**Food and Beverage Manufacturer:** A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

**Producer:** A person that is licensed as a producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder.

**Product Manufacturer:** A person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type.

**Product packager:** A person that is licensed to package and label cannabis.

**3. Cannabis Establishments Allowed by Special Use Permit**

Cannabis Establishments may only be permitted in the General Business Zone subject to the standards specified herein in addition to the standards set forth in Section 16 of these Regulations.

<b>Cannabis Establishment Type</b>	<b>GB</b>		
Retailer or Dispensary Facility	<b>SP</b>		
Hybrid Retailer	<b>SP</b>		
Cultivator	<b>X</b>		
Micro-Cultivator	<b>X</b>		
Food and Beverage Manufacturer	<b>X</b>		
Product Manufacturer	<b>X</b>		
Product Packager	<b>X</b>		
Producer	<b>X</b>		

**4. Cannabis Retailers, Hybrid Retailers and Dispensaries:**

**A. All retail establishments shall meet the following criteria:**

1. Shall not be located within one thousand (1000) feet of any other cannabis establishment as defined herein or, within five hundred (500) feet of any child day-care facility, park, playground, school or place of worship when measured using a direct line between any main entrance of the proposed permit premises and any part of a lot used as such.
2. Hours of operation will be limited to no earlier than 8:00am or later than 9:00pm.
3. No consumption of any cannabis product may take place on site.
4. Signage shall be in accordance with Section 300-29 of these Regulations and comply with the provisions of RERACA.

**B. Any application for a Cannabis Retailer shall include:**

1. An operational plan to indicate at a minimum, how the facility will be managed related to:
  - i. Hours of operation
  - ii. Security and access
  - iii. Installed signage
  - iv. Odor monitoring and mitigation
  - v. Parking and Circulation and Traffic

**5. Conditional Approval:**

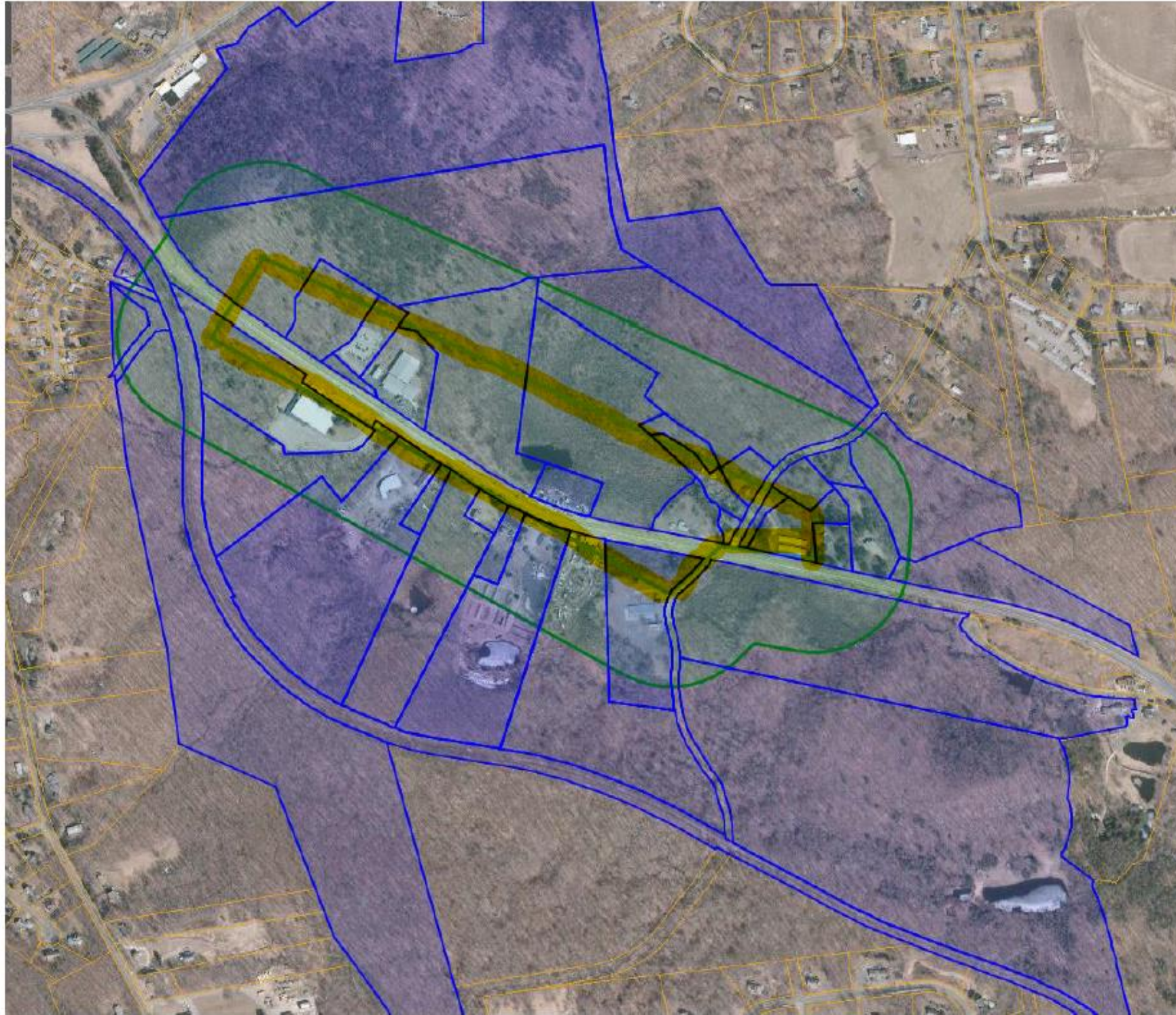
In addition to any conditions imposed pursuant to Section 16 of the Regulations, all special permits for cannabis establishments shall be subject to the following conditions:

- A.** Special Permits shall be approved with the condition that the applicant continuously maintains all necessary approvals required by the State of Connecticut for the duration of the operation.
- B.** The conditional approval shall not be considered fully executed until a copy of the State issued license has been provided to the Land Use Office. Such approval must be filed with the Town within six (6) months of the issuance of the Special Permit.
  - 1. The Zoning Officer may issue not more than two six-month extensions to this requirement provided the applicant can demonstrate that an application has been filed with the Department of Consumer Protection and the expected decision date will fall within the timeframe of the extension.
- C.** No entity shall commence operations, sales or advertisements without a valid, current license from the State and fully executed Special Permit from the Town.

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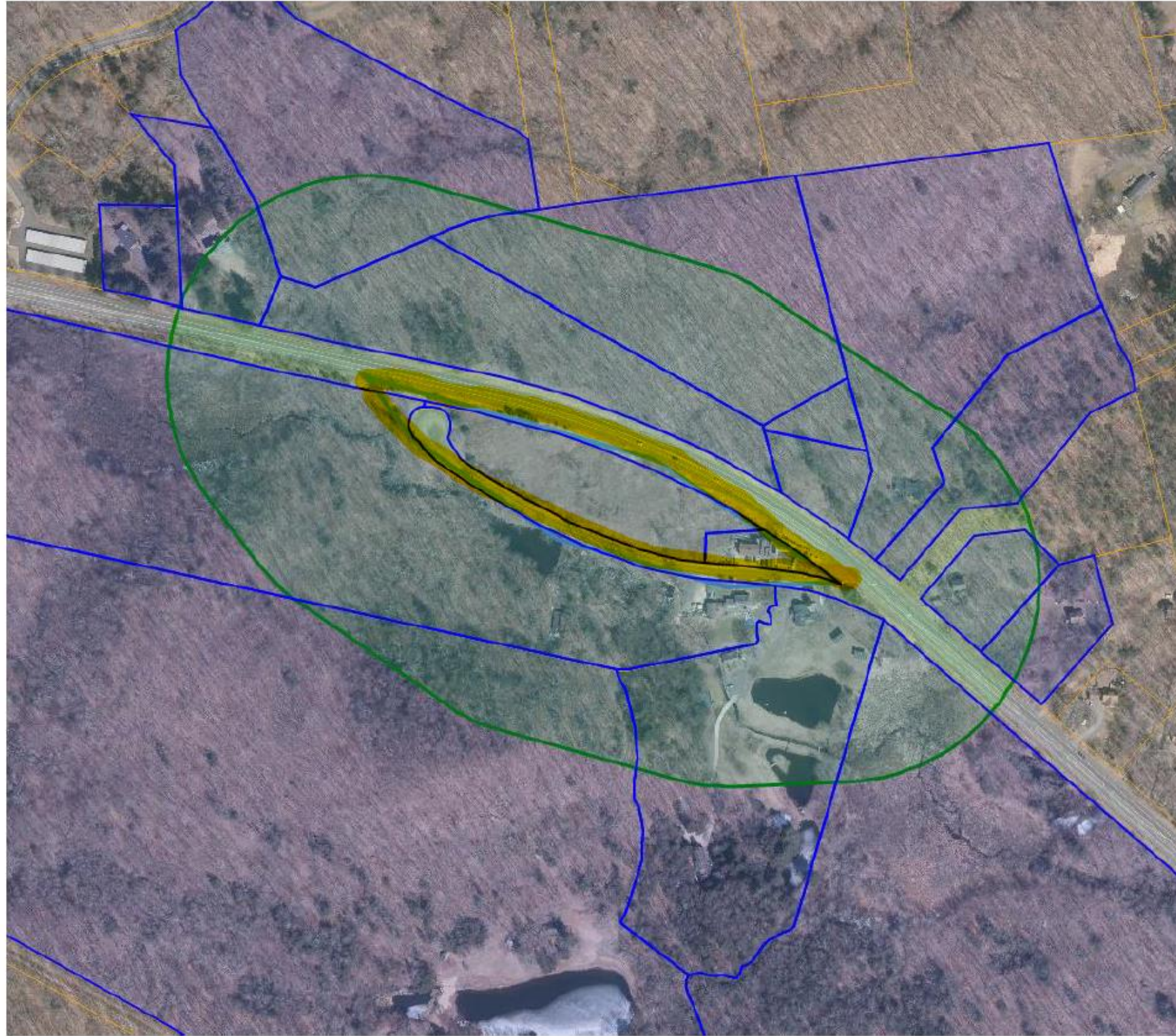
**RT 6 GB ZONE**



**ABUTTERS WITHIN 500 FT.**

MORAN THEODORE M & JOYCE C	199 HOP RIVER RD	BOLTON, CT 06043
MORAN THEODORE M & JOYCE C	199 HOP RIVER RD	BOLTON, CT 06043
299 HOP RIVER ROAD LLC	407 1/2 LAUREL DR	FRIENDSWOOD, TX 77546
299 HOP RIVER ROAD LLC	407 1/2 LAUREL DR	FRIENDSWOOD, TX 77546
HAYES RICHARD P JR	139 VERNON ROAD	BOLTON, CT 06043
LAPENTA CHRISTOPHER	382 HOP RIVER ROAD	BOLTON, CT 06043
BOLTON SELF STORAGE LLC	131 OLD ANDOVER RD	HEBRON, CT 06248
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
CHAPMAN TIMOTHY L	21 STONY RD	BOLTON, CT 06043
WILLIAMS GEORGE J	11 STONY RD	BOLTON, CT 06043
MICHAEL R MARTIN LLC	25 WATROUS RD	BOLTON, CT 06043
174 HOP RIVER RD LLC	174 HOP RIVER RD	BOLTON, CT 06043
146 HOP RIVER ROAD LLC	174 HOP RIVER RD	BOLTON, CT 06043
TOOMEY PAUL M & SHIRLEY A & SURV	38 TOOMEY LA	BOLTON, CT 06043
TOOMEY PAUL M & SHIRLEY A & SURV	38 TOOMEY LA	BOLTON, CT 06043
CONNECTICUT STATE OF	79 ELM	HARTFORD, CT 06106
ERICSON TIMOTHY D & SHELLEY M & SURV	229 HOP RIVER RD	BOLTON, CT 06043
GOUCHOE LOREN H JR LU & GOUCHOE LOREN H JR LU & JOHN & FREDERICA JOHNSON MEMORIAL CAMP INC	239 HOP RIVER RD	BOLTON, CT 06043
	239 HOP RIVER RD	BOLTON, CT 06043
	287 JAGGER LN	HEBRON, CT 06248
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
STAVENS BROTHERS INC	PO BOX 406	WILLINGTON, CT 06279
262 HOP RIVER LLC	8 WEST ST EXT	ANDOVER, CT 06232
262 HOP RIVER LLC	8 WEST ST EXT	ANDOVER, CT 06232
DOMENICO ROBERT W	18 NOTCH RD EXT	BOLTON, CT 06043
HABERERN DOLORES & RONALD G	43 LONDON RD	HEBRON, CT 06248
ASPINALL MARGARET	71 JOHNSON RD	BOLTON, CT 06043
BRIDGEMAN GAGE M	366 HOP RIVER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
POTTER KURT & JILL B & SURV	34 HANOVER FARMS RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON ICE PALACE LLC	6 PROGRESS DRIVE	CROMWELL, CT 06416
MORAN THEODORE	199 HOP RIVER RD	BOLTON, CT 06043
255 HOP RIVER LLC	255 HOP RIVER RD	BOLTON, CT 06043
255 HOP RIVER LLC	255 HOP RIVER RD	BOLTON, CT 06043
IMS PETROLEUM LLC	96 ROUTE 32	FRANKLIN, CT 06245
HOWARD ROAD REALTY LLC	25 HOWARD RD	BOLTON, CT 06043
HOWARD ROAD REALTY LLC	25 HOWARD RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON ICE PALACE LLC	6 PROGRESS DRIVE	CROMWELL, CT 06416

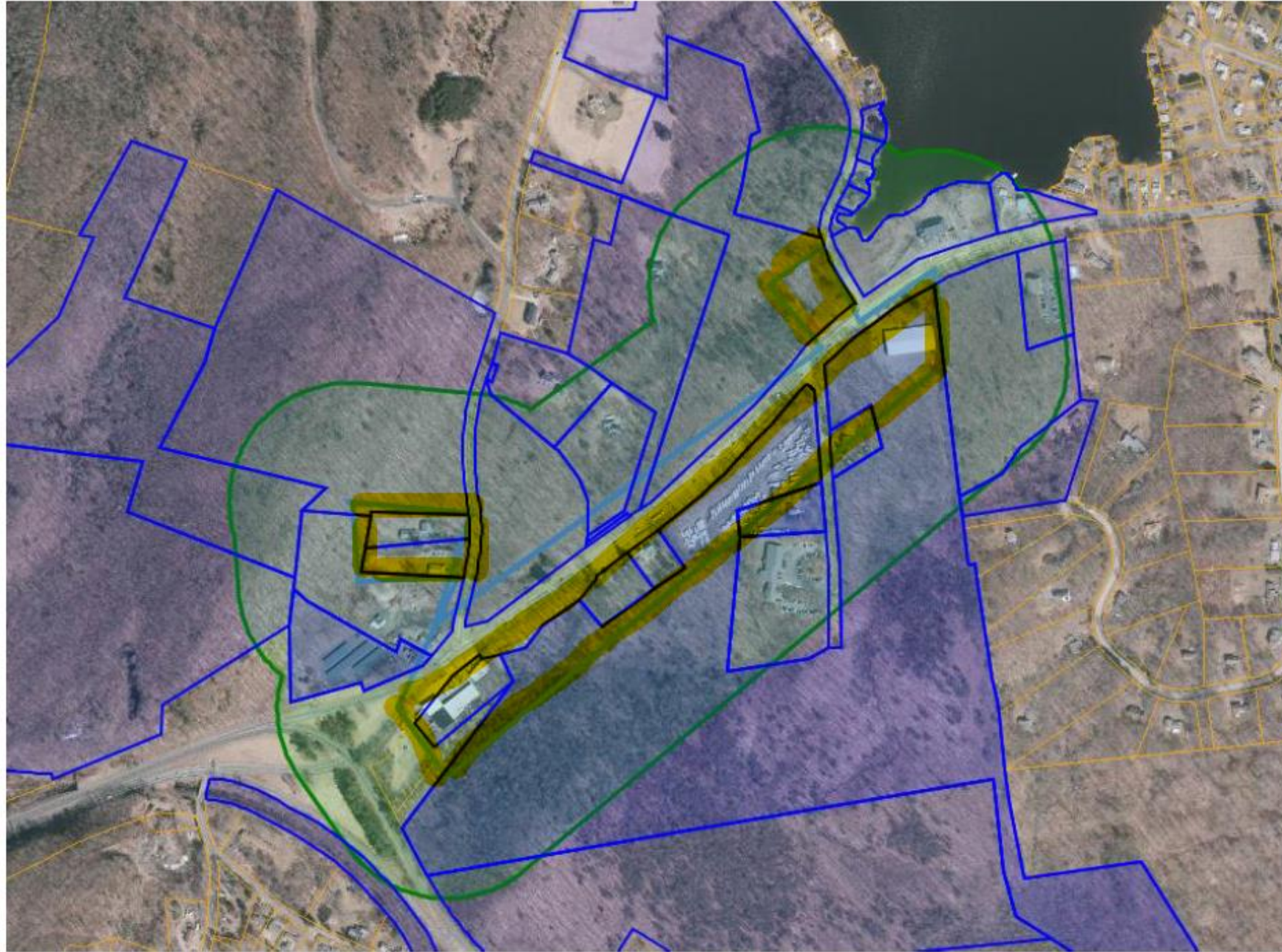
**RT 6 / JOHNSON RD GB ZONE**



**ABUTTERS WITHIN 500 FT.**

NOTCH HOLDINGS LLC	1481 PLEASANT VALLEY RD	MANCHESTER, CT 06040
JOHN & FREDERICA JOHNSON MEMORIAL CAMP INC	287 JAGGER LN	HEBRON, CT 06248
DEAN ROBERT A & BARBARA H TR	81 JOHNSON RD	BOLTON, CT 06043
ASPINALL MARGARET	71 JOHNSON RD	BOLTON, CT 06043
BRIDGEMAN GAGE M	366 HOP RIVER RD	BOLTON, CT 06043
MONTY EUGENE H & MICHELE M	518 HOP RIVER RD	BOLTON, CT 06043 NEWINGTON, CT 06111
CONNECTICUT STATE OF HAYES RICHARD P JR	2800 BERLIN TURNPIKE 139 VERNON ROAD	BOLTON, CT 06043
LAPENTA CHRISTOPHER	382 HOP RIVER ROAD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
ASPINALL DANA P	6 STEELES CROSSING RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON LAND TRUST INC	38 MAPLE VALLEY RD	BOLTON, CT 06043
GARLAND TONI	522 HOPRIVER RD	BOLTON, CT 06043
STAWARSKI STANISLAW &	510 HOP RIVER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043

**BOSTON TPKE GB ZONE:**



**ABUTTERS WITHIN 500 FT.**

LANDRY RONALD G & BUTLER SANDRA S	126 BURBANK RD	ELLINGTON, CT 06029
MORIN MICHAEL M	65 STONEHEDGE LANE	BOLTON, CT 06043
RLB REAL ESTATE HOLDINGS LLC	921 BOSTON TPKE	BOLTON, CT 06043
HOWARD ROAD REALTY LLC	P O BOX 9127	BOLTON, CT 06043
LAWTON ALLEN A III	27 QUARRY RD	BOLTON, CT 06043
BOLTON NOTCH SELF STORAGE LLC	220 HARTFORD TPKE	VERNON, CT 06066
BOLTON NOTCH SELF STORAGE LLC	220 HARTFORD TPKE	VERNON, CT 06066
WEI RULING	345 BUFF CAP RD	TOLLAND, CT 06084
DEBLOIS DAVID J & SANDRA M	753 BOSTON TPKE	BOLTON, CT 06043
CRAYCO JOYCE MUISENER	733 BOSTON TPKE	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
CALHOUN STEVEN J	674 BOSTON TPKE	BOLTON, CT 06043
CONNECTICUT STATE OF	79 ELM ST	HARTFORD, CT 06106
CONNECTICUT STATE OF	2800 BERLIN TURNPIKE	NEWINGTON, CT 06111
PERITO DOMENIC D & FOFANA KIMBERLY M	15 VERNON RD	BOLTON, CT 06043
HOWARD ROAD REALTY LLC	25 HOWARD RD	BOLTON, CT 06043
BASSETT DEBORAH ANN	8 HOWARD RD	BOLTON, CT 06043
AAL ONLY LLC	6134 30 ST NW	WASHINGTON, DC 29912
PEACOCK RICHARD & CATHERINE	23 QUARRY RD	BOLTON, CT 06043
EAGLES NEST HOLDINGS LLC	10 QUARRY RD SUITE C	BOLTON, CT 06043
CAPSHAW BRETT & STATCHEN MARK	31 VERNON RD	BOLTON, CT 06043
CONNECTICUT STATE OF	79 ELM	HARTFORD, CT 06106
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
PERITO DOMENIC D & FOFANA KIMBERLY M	15 VERNON RD	BOLTON, CT 06043
MORTENSEN GARY & MORTENSEN KAREN	922 BOSTON TPKE	BOLTON, CT 06043
HOWARD ROAD REALTY LLC	25 HOWARD RD	BOLTON, CT 06043
HOWARD ROAD REALTY LLC	25 HOWARD RD	BOLTON, CT 06043
ST JOHN ERIC	17 HOWARD RD	BOLTON, CT 06043
ST JOHN ERIC	17 HOWARD RD	BOLTON, CT 06043
ST JOHN ERIC	17 HOWARD RD	BOLTON, CT 06043
BOLTON MOUNTAIN VIEW LLC	81 TUMBLEBROOK DR	VERNON, CT 06066
AAL ONLY LLC	PO BOX 9585	BOLTON, CT 06043
FAZZINO LISA A	19 QUARRY RD	BOLTON, CT 06043
DELLERT MARK	12 QUARRY RD	BOLTON, CT 06043
CONNECTICUT STATE OF	79 ELM ST	HARTFORD, CT 06106
PERITO DOMENIC D & FOFANA KIMBERLY M & SURV	15 VERNON RD	BOLTON, CT 06043