

**BOLTON PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**7:30 p.m., Wednesday, July 13, 2022**  
**Virtual**  
**Minutes & Motions**

**Members Present:** Chairman Tom Manning, Vice Chairman James Cropley, Brittany Clark, Arlene Fiano, Jeffrey Scala, Thomas Robbins, and Alternates Tom Crockett, Kawan Gordon, Rodney Fournier

**Members Excused:** Jeremy Flick

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

**Others Present:** Bill Jodis, Steve Rockerfeller, Randy Becker, James & Colleen Bombria, Andrew, Michael Morin, Raymond Dzen

**1. Call to Order:** T. Manning called the meeting to order at 7:34 p.m.

**T. Manning moved** to add to the agenda item 6.d. *Request for Extension of Time to File Plans With Town Clerk Under Zoning Regulations Section 16B.5.b: Special Permit Application for Veterinary Hospital/Veterinary Emergency Care, 233 Boston Turnpike & 12 Williams Road (Bolton Vet), Veterinarians of Eastern Connecticut LLC (#PL-22-3).* **J. Scala seconded.** Vote: 6-0-0. Motion passed.

T. Manning seated T. Crockett for J. Flick.

**2. Approval of Minutes: June 8, 2022, Regular Meeting Minutes**

**T. Crockett moved** to approve the minutes of the June 8, 2022, Regular Meeting. **B. Clark seconded.** Vote: 6-0-1 (Cropley). Motion passed.

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

**4. Staff Reports**

P. Carson reported:

- Has been dealing with what is on the agenda.

M. D'Amato reported:

- Has been working on the ongoing zoning violations to get them moving. They have slowed down. He spoke to the property owner of the Boston Turnpike location and has scheduled a follow up meeting with the tenant. He should be hearing from them shortly. He is waiting on the gates to go between the two buildings. We are trying to come up with other alternatives. 17 Howard Road has been silent for the last month or so.

**J. Scala moved** that the Bolton PZC move to item 7.a. at this time. **J. Cropley seconded.** Vote 7-0-0. Motion passed.

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

**a. Application for a Zone Change from RMUZ and R-2 to GB, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-22-5)**

P. Carson read the public notice for the record. Randy Becker was present with Steve Rockerfeller.

R. Becker: This application is to change the current RMUZ and R2 zone of lot 2 to GB with lot 1 remaining as RMUZ. The existing lot (837 Boston Turnpike) is in the industrial zone. Lot line modifications for lot 1 are also part of this request.

T. Manning: What does the lot line modification involve? S. Rockerfeller: Explained the lot line modifications. Putting lot 2 into the GB zone instead of the industrial zone is to be sensitive to the neighbors seeing future ownership of the property. T. Manning: Would like to see what he is going to be doing on the lots. J. Scala: He is not sure this is relevant to this application. R. Becker: There will be another industrial building mostly on what is indicated as lot 2 now. S. Rockerfeller: There is a 6+ acres of woods to buffer to any neighbors. P. Carson: We are really are only talking about the zone change for this hearing. R. Becker: We are being sensitive to adding in industrial zone. This will limit us to a clean, quiet business abutting a residential zone. We feel it is appropriate to go with GB. It is a permitted use.

J. Scala: What is the difference in the value of the land when you change it? S. Rockerfeller: It reduces the value since we are wrapping it into 837. We are taking that future selling option away for development. J. Scala: What is the underlying value as R2 or GB? S. Rockerfeller: In a discussion with the Assessor in the past the thought was the value was higher as two separate lots than as one.

Michael Morin, 65 Stonehenge Lane – Thinks his property value will go down. He never expected to have happen what is going on there. A lot of woods have been taken out. When the past changes were made we did not know this would be happening. Since that build there are no deer, no turkey, nothing. If there is blasting to put a building in here he will see the building from his property. The value of his house will be brought down drastically. Blasting could affect his well. The public hearing sign was between the Help Wanted signs. He was notified of this hearing a month ago. He is against it one hundred percent. What was done in the back was not necessary. He will go to Town Hall to see plans.

Jim Bombria, 60 Stonehenge Lane – He has the same concerns. Able Coil has been a good neighbor. The extension of the parking lot took down hundreds of trees. Now we hear noise and see lights from Boston Turnpike. The proposal with the additional parking and the building will affect homes on Stonehenge Lane with higher noise level and more lighting. The snow removal for the extended parking lot proposed will cause a harmful effect on the wetlands and there are five homes that may be flooded by that he believes. A warehouse or industrial operation could cause chemicals in the air. The skyline of the building will be visible in the neighborhood. The

wildlife has dwindled down to nothing in the past years that he thinks it may have to do with the clear cutting. He also has concerns with the three work shifts.

J. Scala: Presumes J. Bombria wants his letter submitting for both applications? J. Bombria: Yes.

P. Carson: Staff comments are on page 77 of the packet and were shared on the screen with portions being read. T. Crockett: Multi-housing units can be built in the RMUZ? About 60 units? P. Carson: Event though this is on the sewer system you need to prove the land can support a septic system. T. Manning: The staff response is positive? P. Carson: Yes.

Raymond Dzen 59 Stonehenge Lane – He is part of the community that has been here for over 40 years. He has served on the IWC and other things for the town in the past. He is in construction. He walked the property with the former owner when it was considered for a zone change. It does have a higher elevation. R. Becker: The new building will be 240' from the nearest abutting property. T. Manning: This is beyond the zone change. Questions about the building will be in the next hearing. The change of zone would be a good idea in the context of POCD and in the existing neighborhood. R. Dzen: This would not be in concert with what is there in the neighborhood. He bought his property 40 years ago; changes here have to be addressed. J. Scala: There are two applications by Able Coil – a zone change proposal and the application for the building. The owner could sell the property. R. Dzen: There are a number of issues that have to be addressed, such as noise, pollution. T. Manning: Those items will be taken up shortly.

Colleen Bombria, 60 Stonehenge Lane – She heard there could possibly be condos on this land. Can you clarify that? P. Carson: Under the current zone multi-family developments are allowed on upper floors with businesses if the land can be shown to support a septic system for that number of units. The former owner's intent was to build multi-family units. There are other uses allowed in that zone. R. Dzen: The former owner said he would have been required to have a light at the entrance way because of the sight lines on the road. We would have to know how many units could go in there. S. Ruckerfeller: If these questions are coming from the concern that we are going to put condos there, we are not. The intent is to have the buffer. T. Manning: The PZC cannot make that a condition. R. Dzen: Think he has a nice business. It looks nice.

T. Manning: Does this public hearing have to be continued for this application? P. Carson: Only if the PZC thinks it needs more information. The PZC has 65 days to make a decision.

**T. Crockett moved** to close the public hearing. **B. Clark seconded.** Vote: 7-0-0.

**b. Special Permit Application for 12,000-15,000 SF Pre-Engineered Metal Building Addition for Light Manufacturing, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-22-4)**

P. Carson read the public hearing notice into the record. Randy Becker and Steve Ruckerfeller were present.

R. Becker: Shared the site plans. The proposed building will be in the northwest corner of lot 2. Very little clearing will be needed for this building. There are trees to the right side of the property. Behind the proposed building are mature trees and the terrain goes up a hill. The building will fit into the hillside. The roofline view will be very limited. The parking lot to the south is already cleared. It is a grass lot right now that will be paved. The needed grading is very limited. There will be a drainage swale on the right hand side with water ending up in the detention basin sized for a 100-year storm. The new roof area is being drained into the detention basin. We are isolating this development in a little chunk of property. A small amount of trees will be removed around the building for maintenance purposes. Photos of the area taken today where shared. The amount of building anyone would see is very limited because of the woods and the terrain. We have a good plan to move large tractor trailers around. There will be a handicapped ramp and handicapped parking space. There is an exit off the rear from the mezzanine level as an emergency exit. On the north side there will be a circular plunge pool to slow the velocity of the water; this connects into the existing system. There is an overflow pipe that goes underground if it is ever needed. The existing system will work for a 100-year storm. We are not changing the look or view from the side of the building. We have managed to nest this building into the terrain and make it work for us unobtrusively and in an environmental manner. There will be a connector from the existing manufacturing space into the new building. There are ample means of egress. We will be well into the buildable area of the property with everything in place.

K. Gordon: What is the approximate square footage of trees to be removed and given the trees to be removed could there be a possible line of sight to residential properties? R. Becker: 15,000 square feet of clearing needs to be done in an area of 37 acres; that is not a lot. There is dense woods beyond that. The parking area does not have to be cleared. The utility area does not need any further clearing.

P. Carson: Staff reports begin on page 27 of the packet that were reviewed. How many cars in the parking at any one point? S. Ruckerfeller: 93 employees total. Looking for ~100 spaces to accommodate employees and visitors. P. Carson: How much lighting will there be in the lower parking lot? S. Ruckerfeller: He did not want to add lighting for the rear parking area. Someone said there needs to be light down there. We operate mostly during day hours with maybe small night shifts to meet demand. The majority of the crew is out by 3:45p.m. We only ran split shifts during COVID. R. Fournier: There are motion sensing lighting that is at low light and increasing when motion is detected that could be used. P. Carson: There are some comments about the snow melting. Will the basin treat that melt? R. Becker: We are not talking about hazardous materials leaking out of the building or cars. There may be some drops of gas or oil from the parking lot which is very common in every single property. The water quality volume was calculated. The entire basin is 9,600 square feet. The volume is less than 1/3 than what is being proposed. Snow removal may be pushed off to the side of the property where there are lawns. S. Ruckerfeller: We are pushing to the side because we have space but he is willing to sacrifice a couple of parking spots and let it melt, if necessary.

P. Carson: Read a submitted letter into the record from James Bombria, 60 Stonehenge Lane.

Jim Bombria, 60 Stonehenge Lane – Is there a photo of the parking area that is being proposed? Looking at the plan it looks like it is running downhill toward homes. S. Ruckerfeller: The parking is not going to extend beyond the clearing that is in that lot; it is not running downhill. J. Bombria: There is a proposal of three lights on the plan. What will the screening of these be? In fall and winter, he is concerned it will be extensive and car lights driving in will be seen on Stonehenge. S. Ruckerfeller: We are a daytime operation. We rarely run at night. Zoning requires us to put lighting down there although his intent was not to put any there. The light sensitive lights are agreeable to him if any are necessary. The building is 25' tall from elevation. As you go into the hill it will look like a short building. J. Scala: What is the height of the trees on average. S. Ruckerfeller: 60-70' in height. The back of the building will be ~12' higher than the grade. J. Bombria: About half of the 15,000 square foot building will go into the wooded area? S. Ruckerfeller: The building is staked out. You are welcome to come and look at it. R. Becker: The building will be 60- 80' back from what is seen in the photo. J. Bombria: How much noise will result with the clearing is another concern.

Raymond Dzen, 65 Stonehenge Lane: What is the hill elevation related to the elevation of the lights? Would it be over the top of the former Mrosek property? S. Ruckerfeller: There will be no lights on the back of the building. R. Becker: The lights on the building will be at 678'. The top of the hill is 686'. That would be a natural barrier to the light. The closest property of the doctor is 243'. R. Dzen: Will there be a berm or fencing to protect the neighborhood from sound and light? S. Ruckerfeller: We are taking advantage of the natural features of the property. These are only safety lights. R. Dzen: His concerns are noise, lighting, pollution, etc. With the mention of snow – will there be sedimentation going into the stream? R. Becker: The snow melt will have a sheet flow effect; there will be no gully or erosion created. We have a grass swale off to the side. It will hit the detention pond. Any sedimentation build up will be maintained by the owner. R. Dzen: Does he intend to keep the Howard Road site? S. Ruckerfeller: His intent is to bring the business back together. R. Dzen: Can you make alterations later? S. Ruckerfeller: He has heard comments that since we have renovated the building noise from Route 44 has increased for the neighborhood. By putting up this building it will block that noise. Our operation does not make any noise. R. Dzen: That building is a nice operation and building for Bolton. R. Becker: Test pits have been dug. We know there is ledge on the property. R. Dzen: He has concern if there is blasting. Would we be advised if this takes place? R. Becker: A pre-blast survey will be done and monitoring stations set up; photos will be taken of the neighboring buildings before and after. Blasting mats will be used. Blasting will be done in a permitted way, in a controlled manner. We are connecting to the sewer line. R. Dzen: Do you monitor the well water? S. Ruckerfeller: Yes, we are deemed a public water supply and that is reviewed and monitored. We have finally gotten water approval from the appropriate agencies. We do not use water in the manufacturing process. We have been here since 1977.

Michael Morin, 65 Stonehenge Lane: Are you going to clear beyond Dr. Buckman's property? He can see Buckman's building from his deck. S. Ruckerfeller: We will cut into those woods. M. Morin: Will schedule an appointment next week to visit the new office, see the plans and walk the property. S. Ruckerfeller: The new building has been staked out. You are welcome to see this. J. Scala: ~346' to the nearest edge of Mike's property to the corner of the building.

P. Carson: There is some information that is still needed and PZC will have to continue the hearing.

Jim Bombria, 60 Stonehenge Lane – Thanked all of those present for taking the time tonight to discuss the concerns.

J. Scala: Can the owner provide an overlay of this project with current maps of the site? J. Cropley: Thinks that is a great suggestion. R. Becker: He does not think this is a problem at all. P. Carson: Plans have been available at the Town Hall since they have been filed for anyone to come in and review.

**T. Manning moved** to continue this hearing to Wednesday, August 10, 2022 at 7:45pm via zoom. **T. Crockett seconded.** Vote 7-0-0. Motion passed.

P. Carson noted no additional notices are posted nor sent out for the public's information.

**c. Application for a Temporary Moratorium on adult use cannabis establishments to consider development of regulations regarding the cultivation, sale, and distribution of adult use cannabis, Bolton PZC (#PL-22-6)**

P. Carson read the public hearing notice for the record. This item starts on page 79 of the packet. The moratorium language was sent to the CRCOG; they acknowledged receipt and commented saying they saw no concerns. Section 17-2 of the Zoning Regulations has been established.

T. Manning: The PZC can set a 6 or 9 month moratorium. What do the Members think? T. Crockett and B. Clark support 9 months.

J. Cropley: Has anyone applied? P. Carson: No.

Steve Rockefeller: The moratorium is going to go into effect while Bolton comes up with its own regulations? T. Manning: Yes, this will prevent any applications until there are regulations to support these establishments. Mr. Rockefeller thought this was a good idea.

**J. Scala moved** to close the public hearing on application #PL-22-6. **J. Cropley seconded.** Vote: 7-0-0.

**6. Old Business**

**a. Discussion/Possible Decision: Zone Change from RMUZ and R-2 to GB, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-22-5)**

**A. Fiano moved** to approve Able Coil and Electronics Co.'s application for a change of zone from RMUZ and R-2 to GB for property at 837-889 Boston Turnpike, Assessor's Map 5, Lot 158. **T. Crockett seconded.** Vote 7-0-0. Motion passed.

**b. Discussion/Possible Decision: Special Permit Application for 12,000-15,000 SF Pre-Engineered Metal Building Addition for Light Manufacturing, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-22-4)**

T. Manning: The public hearing on this item has been continued.

**c. Discussion/Possible Decision: Temporary Moratorium on adult use cannabis establishments to consider development of regulations regarding the cultivation, sale, and distribution of adult use cannabis, Bolton PZC (#PL-22-6)**

**T. Crockett moved** to approve PZC application #PL-22-6 for a 9-month Temporary Moratorium on adult-use cannabis establishments to consider the development of regulations regarding the cultivation, sale, and distribution of adult use cannabis. The proposed temporary moratorium will provide the time necessary for the Planning & Zoning Commission to endeavor to create Regulations which align with the Bolton PoCD and are reflective of the community, effective upon publication of the notice. **J. Scala seconded.** Vote: 7-0-0.

**d. Other: Request for Extension of Time to File Plans With Town Clerk Under Zoning Regulations Section 16B.5.b: Special Permit Application for Veterinary Hospital/Veterinary Emergency Care, 233 Boston Turnpike & 12 Williams Road (Bolton Vet), Veterinarians of Eastern Connecticut LLC (#PL-22-3)**

P. Carson: There is no reason not to grant this request. Bolton Vet has been having some staff and supply chain issues.

**T. Manning moved** to grant a 90-day extension of time to November 7, 2022 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-22-3 for Veterinarians Of Eastern Connecticut LLC, which application and plans were approved by the Planning and Zoning Commission on May 11, 2022. **J. Scala seconded.** Vote: 7-0-0. Motion passed.

**7. New Business**

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

P. Carson: The owner has submitted the application and the plans. He is proposing a standard B&B under the regulations which is allowed. It does require a public hearing.

**T. Manning moved** to set a public hearing for application #PL-22-7 for August 10, 2022, at 7:45 p.m. via Zoom. **T. Crockett seconded.** Vote 7-0-0. Motion passed.

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

**8. Correspondence**

**a. Email Regarding Prohibition of Gas Stations**

An email was received from Kathryn Aldrich. This was put aside for this meeting.

**b. Future Meetings Zoom vs. Hybrid**

The PZC has discussed having hybrid meetings at a future time.

A. Fiano: Hybrid meetings would solve problems for the public in seeing the plans, as was mentioned during the Able Coil discussion. She was trained on how to run the OWL but another person should be trained. Town Hall staff asks that two people know how to do it. P. Carson:

People need to understand anyone can come into the office at any time during regular business hours to look at plans which are always available.

T. Crockett: Can we get an idea of what other towns are doing? T. Manning will be happy to be in person.

J. Crolley: It sounds like people will be going to see S. Ruckerfeller about his plans. Does a member of the PZC have to be there? P. Carson: No. PZC members that have limitations regarding creating an illegal meeting in visiting locations under discussion without proper notice. The PZC will continue virtual meetings for now.

## **9. Adjournment**

**J. Scala moved to** adjourn the meeting at 10:04 p.m. **B. Clark 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.*