

BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, WEDNESDAY, MAY 10, 2023
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD
In-Person and Via Zoom

MINUTES

PZC Members Present In-Person: Chairman Tom Manning, Vice-Chair James Cropley, Thomas Robbins, Tom Crockett (Alternate)

PZC Members Present Via Zoom: Jeffrey Scala, Kawan Gordon (Alternate)

PZC Members Absent: Arlene Fiano, Jeremy Flick, Rodney Fournier, Steven Clark (Alternate)

Staff Present Via Zoom: Patrice Carson, AICP, Consulting Director of Community Development, Recording Secretary Linda H. McDonald

Others Present in-person: Andrew Ladyga

1. Call to Order: Chairman T. Manning called the meeting to order at 7:30 p.m. T. Crockett was seated for R. Fournier. K. Gordon was seated for A. Fiano.

2. Approval of Minutes: April 12, 2023

The minutes of April 10, 2023 were amended as follows: T. Crockett should be noted as absent, not present at the meeting.

J. Cropley MOVED to APPROVE the regular meeting minutes of April 10, 2023 as amended. T. Robbins SECONDED. By roll call vote, the MOTION CARRIED 5:0:1 with T. Crockett abstaining.

3. Residents' Forum: No one came forth to speak.

4. Staff Reports:

P. Carson reported on the possibility of a Dunkin coming to town on Boston Turnpike and the possibility of senior housing being developed on Loomis Road. She is also working on codification of regulations.

5. Old Business:

a. DISCUSSION/POSSIBLE DECISION: Zoning Regulation Amendments Regarding Cannabis (#PL-22-6):

- 1. allow only retail sales of cannabis products only in the GB Zone by Special Permit**
- 2. prohibit any cannabis establishment**
- 3. extend the current moratorium to continue to further evaluate public input and consider amendments to draft regulations.**

P. Carson, said she spoke with one of the town's state troopers regarding the proposed regulations and he agreed most of the issues in town are alcohol-related, but believes that it is because cannabis has not really entered Bolton through sales yet. He said he feels that cannabis sales bring issues and complicate law enforcement which he has seen in other towns he serves as the troopers are not only assigned to the town of Bolton.

J. Cropley inquired if the commission should reach out to local law enforcement and the fire department to have them voice their opinion in the future. P. Carson responded the commission can ask the police or anyone they want to attend a meeting to provide information.

T. Crockett asked if the commission should wait to vote until next month, when all the regular members are present, because of their experience and feel for what is good for the town, although he stated he is prepared to vote on the proposed regulation.

T. Manning MOVED to take action on amending the Bolton Zoning Regulations as presented in application #PL-22-6 as follows:

- a. approve Section 10 to add Section 10H. to allow retail sales of cannabis in the GB zone by Special Permit, effective 6/01/2023;
- b. approve removal of Sections 17-2 Section 3 ending the temporary moratorium on cannabis establishments effective 6/01/2023;
- c. deny adding proposed Section 5J prohibiting any cannabis establishment.

K. Gordon SECONDED.

T. Manning commented like alcohol and guns, cannabis is something he has no use for. However, since he has been on the commission, a few home occupancy businesses have been approved that involve guns and there are at least three liquor stores in town as well. He said he is aware that there very well may be problems associated with it. He said we have seen the problems associated with the prohibition of alcohol and cannabis and believes it is appropriate to at least decriminalize it. T. Manning said he is aware it is still illegal under federal law. He said, in the name of ordinary freedom, we should let people do things that are not necessarily good for them and cannabis is one of them. He noted the commission has considered cultivation establishments and there are a lot of good reasons not to permit them. Statistics have shown a cannabis retail store is more like a pharmacy rather than a liquor store in the amount of traffic generated and parking needed. T. Manning stated for all those reasons he would vote yes on the motion.

J. Cropley said he came to the meeting with the thought he would approve this motion but, after hearing the discussion from the state troopers, he thinks he would vote no. He noted he has had some issues at his garden center and it has taken 45 minutes for a resident state trooper or state trooper to get there. He said he understands they travel a large area other when they are in town but has a concern there will be an issue that can't be dealt with in a timely manner and would not want to see anything bad happen. He said, maybe at some point when we see other towns around do it and there are no complications, it would be something someone could reconsider. J. Cropley said if the town had its own police department he might consider it more, but not having a police department and knowing that there are only two resident state troopers that are here and spread their time, he does not want to see the town get in trouble.

T. Crockett said he will vote no. He has heard from neighbors about why we would want to change for something like this as we have a nice town with very few problems involving the state police. He said it hit the nail on the head seeing the report from the state troopers who probably do not have much experience with this.

K. Gordon said that he looks at it from a position of investments. For example, people get up and go to work or operate businesses and, in order to achieve that, buy a car to get to work or do market research if operating a business. We hire people, we vet them, and do what we can to make sure we are taking

the best steps that will provide a return on equity in the long run. He said he agrees with T. Manning's comment that alcohol is a substance that you have to travel to a get, meet certain requirements set by the state, be of a certain age and have the ability to purchase alcohol. He said, similarly, with cannabis, a person has to meet certain criteria to go to a storefront and purchase that item. He said he reads of overdoses every day of recreational drugs that are tainted so if you have a place that is certified and you know the quality of what you are getting is pure and not tainted or laced with something. This provides a better safety net for those who are seeking cannabis. K. Gordon stated he has no use for cannabis but knows people that benefit from it, not stressed and reduces their anxiety. He noted a study from Rutgers that showed home values went up by 1.6% in places that had cannabis establishments. K. Gordon said the town is proposing a mil rate increase and is looking for ways to keep the mil rate down and believes this is a good way to bring in an additional source of revenue and may help to keep taxes lower. He thinks this is a good investment for Bolton. He acknowledged there is always the possibility of a negative scenario, but not allowing something to occur because we do not have a full understanding, you do not want to limit your sources. He said Bolton has a feeling of having a certain small-town charm but still has to take investments. He noted his decision is also based on what he heard during the public hearings.

T. Robbins stated he is opposed to the motion for the same reasons noted by J. Cropley. He said, if the town had a police department, he might feel differently about it but, at this time he does not feel it is a good idea.

J. Scala said he would be abstaining from the vote on the motion because he did not finish going through all the hearing information. He said if he had finished going through the information, from his understanding, he would be voting in favor of it. He commented we are a society that is open and free and anything we can do to maintain that; cannabis is here to stay whether people are buying it legally or illegally. Whether people drive to Manchester or East Hartford to get it, it is still going to be here so why not take advantage of some of the revenue that potentially could come in and provide an opportunity for a business owner to create a business in Bolton which would only benefit the town. The only downside with not having a police department is he does not see a negative greatly different as alcohol.

By roll call vote, MOTION FAILED 2:3:1 with J. Cropley, T. Robbins, and T. Crockett opposed and J. Scala abstaining.

J. Cropley MOVED to take action on amending the Bolton Zoning Regulations as presented in application #PL-22-6 as follows:

- a. deny Section 10 to add Section 10H. to allow retail sales of cannabis in the GB zone by Special Permit;
- b. approve removal of Sections 17-2 Section 3 ending the temporary moratorium on cannabis establishments effective 6/01/2023;
- c. approve adding proposed Section 5J prohibiting any cannabis establishment, effective 6/01/2023.

T. Robbins SECONDED. By roll call vote, MOTION CARRIED 3:2:1 with T. Manning and K. Gordon opposed and J. Scala abstaining.

b. Other: None.

6. New Business

a. Discussion/Possible Decision: Request to Reduce Site Completion Bond for Special Permit #PL-21-1 for Excavation Business, Equipment Storage and Material Processing Areas, 1 Notch Road, William Phillips

P. Carson explained the town received correspondence from owner W. Phillips of Landie Construction requesting a refund of the site improvement portion of the cash bond he was required to put up on his property at 1 Notch Road.

The town's consulting engineer reviewed the existing site improvement bond and reduced it accordingly to only account for public improvements. His opinion of probable construction costs totals \$10,665.36. The engineer advised that the estimate has been revised to reflect 2023 construction costs and should items covered by this bond not be constructed during this calendar year, an appropriate escalation factor may be applied. Additionally, he reviewed and updated the unit costs associated with the current Sediment and Erosion Control Bond and determined the revised amount to be \$35,643.95.

T. Manning MOVED that in accordance with the Town Attorney's Legal Opinion No. 234 issued on December 12, 2022, the Site Completion Bond has been reviewed by the town engineer on May 8, 2023 and reduced to include only timely and adequate completion of any site improvements that will be conveyed to or controlled by the Town in the amount of \$10,665.36 (\$8,887.80 plus a 20% contingency of \$1,777.56). Bonding requirements for Erosion and Sedimentation Controls have increased slightly and will be held at \$35,643.95. J. Cropley SECONDED. MOTION CARRIED 6:0:0.

b. Other: None

7. Correspondence: There was none.

8. Adjournment: J. Cropley MOVED to adjourn the meeting at 8:12 p.m. J. Scala SECONDED. MOTION CARRIED 6:0:0.

Respectfully submitted by Linda H. McDonald




Linda H. McDonald

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.

Planning & Zoning**PL-23-4**

Submitted On: Jun 8, 2023

Applicant

 Michael Bugnacki
 8607985609
 bugnacki@aol.com

Primary Location

222 BOLTON CENTER RD
BOLTON, CT 06043

Permit Info**Permit For**

Zoning Regulations Amendment

Development Title, if any

--

Occupancy Type

Residential

New Building or Expansion of Existing Building Size?

Yes

Is this a modification of a previously approved application?
(please note the Commission may require a new application if the proposed modification significantly alters the previously approved application)

No, this is a new application.

Amendment to Zoning Regulations or Change of Zone**Regulation Section(s) to be Created or Modified**

6A.14 multiple dwelling complexes

Describe Amendment to Zoning Regulations or Change of Use; provide reason for amendment; demonstrate consistency with Bolton Plan of Conservation & Development: (please attach separate document containing proposed amendment language or map showing proposed zoning change):

Please see attached

Deed Reference (Bolton Land Records) (you may obtain this information from the Town Clerk's office or online at <https://recordhub.cottsystems.com>)

Volume

0

Page

0

Assessor's Records Reference (you may obtain this information from the Assessor's Office)

Map No.

0

Block No. (if known)

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Parcel/Lot No.

0

Subject Property Location

Current Zone

NB

Acreage

1.0

Located in Aquifer Protection District?

No

Located in FEMA Flood Zone?

No

Wetlands Application Required? (if activity is within 100 ft. of wetlands, a wetlands permit may be required. Please check with the Wetlands Agent if you are unsure).

No

Is the neighboring town line within 500 ft of the subject property?

No

Applicant Information**Applicant Type**

Owner

Applicant Name

Michael and Sheila Bugnacki

Applicant Address (street, city, state and zip)

9 Abbe Road, Manchester CT

Applicant Phone Number

8607985609

Applicant Email Address

bugnacki@aol.com

Owner Name (of subject property)

MTS Builders

Owner Address

9 Abbe Road, Manchester CT

Owner Phone Number

8607985609

Owner Email Address

bugnacki@aol.com

Name of Official Contact/Representative of Application

Mike Bugnacki

Contact Address (street, city, state and zip)

9 Abbe Road, Manchester CT

Contact Phone Number

8607985609

Contact Email Address

bugnacki@aol.com

Project Information

Brief description of proposed use of subject property (provide greater detail in separate written Narrative)

Senior housing

Gross Sq Ft of Existing Structure(s)

--

Gross Sq Ft of Proposed Structure(s)

--

Existing Parking Spaces**Proposed Parking Spaces**

--
Total Acreage / Sq Ft

--
Linear Feet of Frontage

--
List section(s) of Zoning Regulations under which application is made:

--

Engineer Information

Company Name

Engineer Name

--

--

Address (street, city, state and zip)

--

Phone

Email

--

--

Architect Information

Company Name

Architect Name

--

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Address (street, city, state and zip)

--

Phone

Email

--

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Attorney Info

Name

--

Address (street, city, state and zip)

--

Phone

Email

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Other Experts Retained by Applicant

Application Submission and Certification

I hereby certify that I am the owner of the record of the named property or that the proposed work is authorized by the owner of record and I have been authorized to make this application as agent, and we agree to conform to all applicable laws, regulations, and ordinances. All information contained within is true and accurate to the best of my knowledge.

Applicant's Electronic Signature

true

Owner's Electronic Signature

true

PLEASE BE ADVISED THAT A SEPARATE AUTHORIZATION PAGE CONTAINING THE LIVE SIGNATURES OF THE APPLICANT AND OWNER (IF DIFFERENT THAN APPLICANT) IS REQUIRED TO BE UPLOADED TO THIS APPLICATION. THAT DOCUMENT MAY BE OBTAINED BY CLICKING ON THE LINK BELOW.

(<https://town.boltonct.org/boards-commissions/planning-and-zoning>)

(<https://town.boltonct.org/boards-commissions/planning-and-zoning>)

(<https://town.boltonct.org/boards-commissions/planning-and-zoning>)

(<https://town.boltonct.org/boards-commissions/planning-and-zoning>)Click Here

([https://viewpointcloud.blob.core.windows.net/profile-pictures/PZC_Application_Authorization_Tue_Oct_04_2022_16:09:05_GMT+0000_\(Greenwich_Mean_Time\).pdf](https://viewpointcloud.blob.core.windows.net/profile-pictures/PZC_Application_Authorization_Tue_Oct_04_2022_16:09:05_GMT+0000_(Greenwich_Mean_Time).pdf)) to download a copy of the required signature page



Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOLTON PLANNING & ZONING COMMISSION APPLICATION AUTHORIZATION

APPLICANT:

The Applicant, (name) MICHAEL BUGNACH, certifies that he/she is authorized to submit the attached Application for a (subject/project) TEXT CHANGE, at (address) _____, and that the statements made within are true to the best of the Applicant's knowledge, information and belief.

Applicant Signature: _____

OWNER (IF DIFFERENT THAN APPLICANT):

I, (name) MICHAEL BUGNACH, certify that I am the owner of the property located at (address) _____; that I authorize (name) _____ to act as my Agent/Representative; and that I am a willful participant and am fully aware of the contents of the attached Application for a (subject/project) _____.

Owner Signature: _____

6A.14 Multiple Dwelling Complexes (traditional), as follows:

a. Intent

The general intent of this Section is to promote a broader range of housing within the Town of Bolton, in terms of both affordability and living arrangement.

b. Applicability

A traditional multiple dwelling complex may be permitted only within the R-2 zone, and furthermore, only where one of the following two circumstances exist:

1. upon any parcel of land comprised of an area of at least 70,000 square feet;
2. upon a parcel of land comprised of an area of at least ten acres which the Planning and Zoning Commission has determined is better suited for a traditional multiple dwelling complex instead of an OSCD multiple dwelling complex for one or more of the reasons set forth in Section 7C.

c. Procedure

A Special Permit application to the Planning and Zoning Commission in accordance with Section 16 of these Regulations, is required for any traditional multiple dwelling complex.

d. Density

The density of a traditional multiple dwelling complex shall be 70,000 square feet of land area for the first three dwelling units, plus 10,000 square feet of land area for each additional dwelling unit, up to a maximum of 48 dwelling units, inclusive of all phases. No building within a traditional multiple dwelling complex shall contain less than three, nor more than six dwelling units.

e. Dimensional Requirements

- Minimum lot frontage: 50 feet
- Minimum front yard: 50 feet
- Minimum side yard: 50 feet
- Minimum rear yard: 50 feet
- Maximum building height: 35 feet or 2-1/2 stories
- Maximum lot coverage: 15%
- Maximum impervious coverage: 20%

f. Dwelling Unit Requirements

The minimum floor area requirements are as follows:

- Studio (efficiency) dwelling unit: 500 square feet
- One-bedroom dwelling unit: 700 square feet
- Two (or more) bedroom dwelling unit: 850 square feet

Each building shall have a full cellar in order to provide adequate interior storage area. The cellar floor area shall be equally divided among all dwelling units within each building, and each space shall be

fully partitioned from abutting space. Interior access between each dwelling unit and its related cellar space shall be provided.

g. Separation Distance

Within any type of multiple dwelling complex, the separation distance between buildings shall be at least that distance required by the Town of Bolton Fire Marshal, but in no case, shall be less than 30 feet.

The amendment of this Section 6A.14g. was approved on December 9, 2015.

The effective date of this Section 6A.14g. is December 15, 2015.

h. Roads, Parking and Sidewalks

At a minimum, all interior roads shall be paved to the standards of the Town of Bolton for local streets. Interior road widths shall, at a minimum, meet the standards required by the Town of Bolton Fire Marshal.

All parking shall be as required in Section 15 of these Regulations.

Pedestrian access between all buildings, as well as between all parking areas and buildings, shall be by sidewalks. Sidewalks shall be a minimum of four feet in width and paved with Portland Cement concrete or other material approved by the Planning and Zoning Commission.

i. Ownership of Improvements

All site improvements, including interior roads, shall be privately owned and maintained unless otherwise authorized by the Town of Bolton or other public agency.

j. Landscaping and Buffering

Disturbance of natural vegetation shall be kept to an absolute minimum. All disturbed areas not proposed to be covered by an impervious surface shall be fully landscaped, and shall be so indicated on the landscaping plan.

All front, side and rear yard areas not to be disturbed during construction shall remain in their natural state. If any front, side and

rear yard areas are disturbed during construction, they shall be replanted to at least as good a condition as existed prior to construction, including number, height, and caliper of plantings, unless otherwise specified by the Planning and Zoning Commission. Such replanting shall be indicated on the landscaping plan.

In such cases where it is the opinion of the Planning and Zoning Commission that additional landscaping is needed to buffer the development from abutting properties, the Commission may specify such additional buffering, thickly planted and of appropriate height and caliper. Recommended plantings are hemlock, arborvitae, viburnum, elderberry, winterberry, wild rose, hawthorn, birch, poplar, shadbush, maple, and white cedar, or an appropriate combination of these items.

k. Community Septic Systems

~~The requirements concerning community septic systems shall be exactly the same as those stated in Section 7C.7. of these Regulations. Onsite septic systems shall be designed in accordance with the Public Health Code.~~

l. Traditional Multiple Dwelling Complex for ~~the Elderly Seniors~~

Traditional multiple dwelling complexes for ~~the elderly seniors~~ may be permitted by Special Permit in the R-2 and NB zones upon any parcel of land comprised of an area of at least 40,000 square feet. The applicant shall submit a written document with the Special Permit application stating that each dwelling unit shall be occupied at all times by at least one person 62 years of age or older, and that no resident of the complex shall be less than 50 years of age. However, no tenant shall be evicted due to a change in personal circumstances such as death of co-occupant, divorce, etc. In addition, one unit without age restriction may be set aside for occupancy by a maintenance manager for the complex.

A traditional multiple dwelling complex for ~~the elderly seniors~~ shall meet all requirements as stated within this Section 6A.14., with the following exceptions:

a1. no dwelling unit shall have a floor area greater than 1,000 square feet;

b2. minimum parking space requirements shall be 1 1/2 spaces per dwelling unit;

e3. density requirements shall be the same, except that 40,000 square feet of land area for the first six dwelling units, plus 10,000 square feet of land area for each additional dwelling unit, up to a maximum of sixty dwelling units, inclusive of all phases, may be allowed.

4. Each unit shall have its own direct access provided by an exterior door.

5. Dwelling Unit Requirements for full cellars in Section f, shall be optional.

6. All multiple dwelling complexes for seniors shall contain a minimum of one (1) outdoor amenity, including, but not limited to, a deck or patio for each unit, common gazebo, walking path on the property, common community room, or other amenity to be approved by the Commission.

No Multiple Dwelling Complex for the elderly shall be occupied as anything other than a Multiple Dwelling Complex for the elderly unless a further Special Permit application, stating the intended

change, is filed and approved by the Planning and Zoning Commission.

6A.15 Open Space Conservation Development Multiple Dwelling Complexes (see Section 7D).

6A.16 Accessory uses customarily incidental to the above uses and located on the same lot with the building to which they are accessory. The side yard and rear yard regulations for an accessory building shall be those of the zone in which it is erected, except as provided in Section 7 of these Regulations. Business uses are excluded except as provided in Section 6A.8. of these Regulations.

6A.17 Architectural and Site Design Guidelines. Section 6A.13 (Continuing Care Retirement Communities) and 6A.14 (Multiple Dwelling Complexes) shall be subject to the Bolton, CT Architectural and Site Design Guidelines (Appendix C)

6B. Signage

All uses permitted under this section are subject to the requirements of Section 18 (Signage).

6C. Use Variances

The Zoning Board of Appeals may only grant use variances in accordance with the following requirements:

1. Uses shall not be permitted by variance in the R-1 zone if such uses are not otherwise allowed in the R-1 zone.
2. Uses shall not be permitted by variance in the R-2 zone if such uses are not otherwise allowed in the R-2 zone.
3. Uses shall not be permitted by variance in the R-3 zone if such uses are not otherwise allowed in the R-3 zone.

SECTION 8 - BUSINESS AND RURAL MIXED USE ZONES.

8B. NEIGHBORHOOD BUSINESS ZONE (NB)

8B.1. Purpose. The purpose of the Neighborhood Business Zone (NB) is to provide convenience shopping and services in a village atmosphere for residents in the southern portion of Bolton.

Because of its lack of access to the Interstate highway system, and its lack of sewer and water, this zone cannot support the intensity of Development intended for the General Business Zone. Because this zone is geographically small and surrounded by rural or residential uses, it will be essential to require a very high standard of architectural and site design to ensure compatibility with its traditional New England setting; to avoid adverse impacts to the value of surrounding properties; to avoid traffic hazards or congestion; and to regulate the nature of the uses so that they provide necessary convenience shopping for local needs, but no more than that.

8B.2. Permitted Uses and Use Categories. Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the lists below of uses Permitted by Site Plan Review and Special Permit uses, subject to such standards and conditions which may be required by these Regulations, and subject to the Bolton, CT Architectural & Design Guidelines (Appendix C).

See the definition, where applicable, for any use or term in Section 2.

8B.2.a. Permitted by Site Plan Review. Uses and use categories permitted as a matter of right subject to Site Plan Review by the Planning and Zoning Commission in accordance with Section 16A of these Regulations and all requirements of the NB Zone and any applicable provisions of these Regulations:

1. Public Utility Building or Substation
2. State or Town operated public commuter parking lots.
3. Municipal facilities of the Town of Bolton
 4. Farm stands pursuant to Section 3B3.c.1 and farmer's markets pursuant to Section 3B3.c.2.

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

1. Grocery Store
2. Drug Store
3. Beauty Salon / Barber Shop
4. Business or Professional Office
5. Studio (photographic, graphic arts, crafts)
6. Retail Shop
7. Personal and Business Services
8. Restaurants, Full Service, per Section 3B.4
9. Restaurants, Take-out, per Section 3B.4
10. Package Stores
11. Bank / financial institution
12. Bed and Breakfast up to 6 rooms
13. Mortuaries / Funeral Homes
14. Motor Vehicle Gasoline Station, subject to the Special Regulations of Section 3B.1 of these Regulations
15. Motor Vehicle Service and Repair (General and Limited), subject to the Special Regulations of Section 3B.1 of these Regulations
16. Child Day Care Centers
17. Light Manufacturing subject also to the Additional Conditions set forth in Section 8B.3. (effective 05/13/12)

18. Traditional Multiple Dwelling Complexes for Seniors

8B.2.c. Accessory Uses Accessory uses, as defined in these Regulations, may be permitted subject to the same type of review (Certificate of Zoning Compliance, Site Plan Review, or Special Permit) as the use to which it is accessory.

8B.3. Additional Conditions:

8B.3.a. Not more than four (4) persons shall be engaged in making goods to be sold, except that up to ten (10) persons may be engaged in the making of solid, natural wood products, for use as part of a building, from wood species native to Connecticut.

8B.3.b. All Principal uses shall be conducted in a completely enclosed building (except for Open Lot Sales Operations) subject to the following conditions:

1. Selected merchandise may be displayed in an area depicted on a site plan approved by the Commission in accordance with Sections 16A or 16B.
2. There shall be no display or storage of goods or products with any minimum required yard for the Neighborhood Business Zone.

8B.3.c. Permanent storage or display of materials, vehicles, merchandise or equipment between the street line and the building line is prohibited.

8B.3.d. Any Light Manufacturing use approved per Section 8B.2.b.17 above, shall require the approval of a Site Plan and Special Permit, pursuant to Section 16 of the Regulations, and the following additional conditions shall apply:

1. Design/Operational Standards:

- a. Notwithstanding the provisions of Section 8B.3.a to the contrary, not more than 150 employees shall be engaged in the Light Manufacturing use upon the premises provided the applicant demonstrates, via a baseline traffic analysis, that the proposed number of employees will not cause undue congestion or adverse impact on traffic in the surrounding area. For purposes of this subsection, a baseline traffic analysis shall measure the existing background traffic at the time application is made for a Special Permit, shall include projections as to the anticipated number of employees, their average arrival and departure times and their expected travel routes, and shall include a professional opinion as to whether there will be any negative impact upon traffic in the surrounding area. In the event of any subsequent change in the nature of the Light Manufacturing use or expansion of said use, the applicant shall make application to modify said Special Permit and shall demonstrate, via an updated baseline traffic analysis, that said change or expansion will not cause undue congestion or adverse impact on traffic;
- b. There shall be no outdoor storage of goods or materials accessory to this use on the premises;
- c. There shall be no use of hazardous substances or materials, as defined by federal or state law related to health, safety or environmental protection, in the manufacturing processes conducted on the premises. The preceding sentence shall not be deemed to prohibit the storage and use of heating fuels or fuels associated with emergency power generation in accordance with best management practices;
- d. Any new building(s) or structure(s) that may be constructed in connection with the Light Manufacturing use shall be harmonious with the surrounding area.
- e. Any development under this section which occurs after the effective date of this section shall be subject to all other requirements of these Zoning Regulations, including, but not limited to, the requirements of Section 15H and Section 16A.3.q. However, solely with respect to this section, the Commission may interpret the term "abut" in Section 15H to limit the extent of the buffer required to reasonably protect nearby residential properties and uses. Further, the Commission may substitute other landscape elements other than those cited in Section 16A.3.q.4. to accomplish the buffer requirements at the street line. (effective 05/13/12)

8B.4. Signage: Business signs visible from the exterior of a building shall be subject to the requirements of Section 18 (Signage).

8B.5. Lighting. See 3A.20. of these Regulations.

8B.6. Adult Oriented Establishments: Adult-oriented establishments, as described in the Town of

Bolton Ordinance entitled "Adult-Oriented Establishments" as may be amended from time to time, are prohibited in the Neighborhood Commercial Zone.

8B.7. Use Variances: The Zoning Board of Appeals may only grant use variances in

accordance with the following requirement: Uses shall not be permitted by variance in the Neighborhood Business zone if such uses are not otherwise allowed in the Neighborhood Business zone.

Thomas A. Manning

18 School Road
Bolton CT 06043-7814
(860) 990-4698
tmanning818@sbcglobal.net



June 11, 2023

Bolton Planning and Zoning Commission
222 Bolton Center Road
Bolton CT 06043

Dear Members,

We had previously been proceeding with a page-by-page examination of the planning and zoning regulations, but that is walking a path without a map. Once we decide on a destination, we can plan a path.

Some notes on the overhaul of regulations:

1. I am not trying to change the U.S. Constitution, the State of Connecticut Constitution, legal precedent, state statutes, or our Plan of Conservation and Development. I accept those limitations.
2. No matter what development we want, it is not going to happen if no one else wants to live, work, or play here, no one wants to build here, and no one wants to finance it. Regulations can only restrict development, not promote it.
3. Purpose is to enable responsible development, not stop it altogether.
4. Ameliorate nuisances, not eliminate them. We are all nuisances to one another. One of the ways this is done is to group similar kinds of nuisances in a zone.
5. Those already living here should not be imposed upon unduly, but they should expect the same consequences of development that enabled them to reside here.
6. Unnecessary restriction affects both developers and those who would use the development. Stonehedge Lane is a case in point.
7. Zoning Regulations:
 - a. Have just two zones, a Higher density mixed-use zone and a Lower density residential zone.
 - b. In the mixed-use zone, any use not prohibited should be permitted as of right. Require site plan review for commercial development, but not special permits.
 - c. In the residential zone, allow up to a fourplex on a lot. Require a special permit for apartment or townhouse development.
8. Subdivision Regulations:
 - a. Maintain sight lines, turning radii, drainage, low impact development.
 - b. Reduce required road width of 24 feet to 18 feet and 30 feet to 24 feet.
 - c. No minimum lot size or shape, let lots depend on well and septic requirements.
 - d. No land exactions or fee in lieu.
9. Definitions per building code.



10. For common driveways, water, and septic systems:
 - a. require insurance for repair of traveled way, bridges, and drainage.
 - b. list Town of Bolton as additional insured
 - c. agree to assessment for insurance if not paid.
 - d. require annual report from homeowners' association.
11. Reconsider most recent change to rear lot requirements.

Sincerely yours,

A handwritten signature in blue ink that reads "Thomas A. Manning". The signature is written in a cursive style with a large, looping flourish at the end.

Thomas A. Manning
18 School Road
Bolton CT 06043