

BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, WEDNESDAY, JANUARY 11, 2023
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD
In-Person and Via Zoom

MINUTES

PZC Members Present (In-person): Chairman Tom Manning, Arlene Fiano and Thomas Robbins

PZC Members Present (via Zoom): Vice-Chair James Cropley, Jeffrey Scala, Jeremy Flick, Rodney Fournier, Tom Crockett (Alternate), Kawan Gordon (Alternate) and Steven Clark (Alternate)

Staff Present (via Zoom): Patrice Carson, AICP, Consulting Director of Community Development and Linda H. McDonald, Recording Secretary

Others Present (via Zoom): Trevor Forbes, James Wasky, Jerry Fossey and Attorney Curtis Roggi

Others Present (In-person): Andrew Ladyga

1. Call to Order: Chairman T. Manning called the meeting to order at 7:31 p.m.

2. Approval of Minutes: December 14, 2022

T. Manning MOVED to APPROVE the regular meeting minutes of December 14, 2022 as presented. R. Fournier SECONDED. By roll call vote, the MOTION CARRIED 6:0:1 with J. Cropley abstaining.

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

4. Staff Reports:

P. Carson reported she is working on some senior housing regulations and items for Connecticut's Countryside, which was formerly the Four-Town Regional Action Plan Committee, who will hold a follow-up summit meeting on January 30, 2023 at 7:00 – 8:30 p.m. at Patriots Park Lodge in Coventry. PZC members are invited to attend.

P. Carson reported Interim ZEO Michael D'Amato has been working on the cannabis regulations, some pre-application meetings, Bolton Notch RV follow-up, the 271 Hop River Road ZBA application and finishing up the OpenGov fixes for the permitting system.

5. Old Business

a. Other: There was no Old Business.

6. New Business

a. Discussion/Decision: Request for Waiver of Extension of Time to File Plans with Town Clerk under Zoning Regulations, Sections 16A.4.g.2 and 16B.5.b: Special Permit application for Veterinary Hospital/Veterinary Emergency Care, 233 Boston Turnpike and 12 Williams Road (Bolton Vet), Veterinarians of Eastern Connecticut LLC (#PL-22-3)

Attorney Roggi, representing Bolton Veterinary Hospital and Veterinarians of Eastern Connecticut, spoke on the difficulty hiring staff to move the project forward. He said the applicant is re-evaluating the cost and downsizing the project, hoping to go forward sometime this year.

P. Carson said, given the circumstances of covid, staff believe the applicant requests are appropriate.

T. Manning MOVED to waive the 90-day filing requirements in Sections **16a.4.g.2** and **16B.5.b.** 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 and grant an extension of time to December 20, 2023 to file plans with the Town Clerk's office. Additionally, in accordance with the Town Attorney's Legal Opinion No. 234 issued on December 12, 2022, the \$683,393.00 Site Completion Bond will be reviewed by the town engineer and reduced to include only timely and adequate completion of any site improvements that will be conveyed to or controlled by the Town. Bonding requirements for Erosion and Sedimentation Controls will remain as originally approved. J. Flick SECONDED. By roll call vote, the MOTION CARRIED 7:0:0.

b. Application: Modification of Special Permit to allow Part-time Use for Religious Assembly and As-Needed Preparation of Humanitarian Packages/Emergency Relief Items, 180 West Street (Highland Meeting Room), Peter DeMallie, Design Professionals, Inc. (#PL-23-1)

P. Carson reported all materials have been received and the application is complete.

T. Manning MOVED to RECEIVE the application for Modification of Special Permit to allow Part-time Use for Religious Assembly and As-Needed Preparation of Humanitarian Packages/Emergency Relief Items, 180 West Street (Highland Meeting Room), Peter DeMallie, Design Professionals, Inc. (#PL-23-1) and to set a public hearing date for Wednesday, February 8, 2023 at 7:30 pm, a hybrid meeting, in-person at Town Hall, 222 Bolton Center Road and virtual. J. Scala SECONDED. By roll call vote, the MOTION CARRIED 7:0:0.

c. Other: There was no other New Business.

7. Ongoing Discussion: Regulation regarding the Cultivation, Sale and Distribution of Adult Use Cannabis, Bolton PZC (#PL-22-6)

P. Carson reported that Capital Region Council of Governments has sent a review dated January 6, 2023 where they acknowledged receipt of the zoning referral and have no apparent conflict with regional plans and policies or the concerns of neighboring towns. CRCOG acknowledged the possible February 8, 2023 public hearing date.

P. Carson said there would have to be a legal notice posted and notification to surrounding towns before the commission could hold a public hearing. She said the moratorium ends in April and the commission will have to have some kind of decision by the March meeting, either to allow cannabis sales in the GB Zone by Special Permit, prohibit any cannabis establishment, or to extend the current moratorium. Discussion followed. P. Carson said she will check to see if one has to be a resident to speak at the public hearings and, per request of A. Fiano, provide clarification on the meaning of "equity joint venture" before holding the public hearing. Members reviewed maps of the two RT 6 6 GB Zones and the Boston Turnpike GB Zone.

T. Manning MOVED to set three concurrent public hearings on cannabis (#PL-22-6) to be held on Wednesday, February 8, 2023 at 7:30 pm in-person at Town Hall, 222 Bolton Center Road and virtual for the following items:

1. Proposed Zoning Regulation amendment to allow only Retail Sales of cannabis products only in the GB Zone by Special Permit

2. Proposed Zoning Regulation amendment to prohibit any cannabis establishment
3. Proposed extension of the current moratorium to continue to further evaluate the public input and consider amendments to draft regulations that were presented at the public hearing.

R. Fournier SECONDED. By roll call vote, the MOTION CARRIED 7:0:0.

8. Correspondence: P. Carson said each member received a copy of the CT Federation of Planning and Zoning Agencies newsletter and information on the CT Bar Association's virtual seminar on Saturday, March 11, 2023 from 9:00 a.m. to 4:30 p.m. The \$45.00 fee covers the cost of the book used during the virtual meeting. She said she is sure some of it will qualify as part of the four-hour training required for the commissioners and asked that anyone interested in participating contact her before February 15th. Discussion followed on the lack of an education list to the towns to indicate what qualifies for the required training.

9. Adjournment: J. Scala MOVED to ADJOURN the meeting at 8:07 p.m. J. Cropley SECONDED. MOTION CARRIED 7:0:0.

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.