

**BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, WEDNESDAY, NOVEMBER 12, 2014
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD**

MINUTES & MOTIONS

Members Present: Chairman Eric Luntta, Vice-Chair Jeffrey Scala, James Cropley, Adam Teller, Arlene Fiano, Nancy Silverstein (Alternate), Neal Kerr (Alternate), and Christopher Davey (Alternate)

Members Excused: Thomas Manning and Carl Preuss

Staff Present: Patrice Carson, AICP, Director of Community Development, Jim Rupert, Zoning Enforcement Officer and Linda H. McDonald, Recording Secretary

Others Present: Administrative Officer Joyce Stille, William Anderson, Fire Marshal Ray Walker Jr, Milton Hathaway, James Bruner, Richard Hayes, Selectman Gwen Marrion, Richard Treat, Selectman Robert Lessard, Gerry Wright, Jim Aldrich, Asim Etem, Gary Bergeron, Richard Treat, State Representative Pamela Sawyer, Board of Finance Vice-Chair Judy Wilson, Catherine Peacock, Steve Rockefeller, Bob Munroe, Kevin Byam, Mark Piechowicz, Morris Silverstein, Ron Rousseau, Deputy Fire Chief Peter Morra, Neil Roback, Evan Schumacher, Tyler Clark, Leah Dean, Joaquim Parreira, Lani Kerr, Mark Fiano, Barbara Fiano, Terrance Frolich, Esq., Michael Morin, John Roback, Alison Rumkey, Jennifer Viot, Karen Bergin, Bob Fournre, and others.

1. Call to Order: Chairman E. Luntta called the meeting to order at 7:35 p.m.

N. Kerr was seated for T. Manning and N. Silverstein was seated for C. Preuss.

The regular meeting was suspended at 7:35 p.m.

2. Public Hearing: Bolton Planning and Zoning Commission application for amendments to Section 3C: Water Supply for Fire Protection as follows:
1. Complete repeal of Section 3C: Water Supply for Fire Protection
 2. Suggestions for Amendments to Commercial/Industrial Uses
 3. Suggestions for Amendments to Residential Uses

For the record, A. Fiano said she listened to the audio of the October 8, 2014 public hearing.

Speakers included Richard Hayes of 139 Bolton Road, William Anderson of 77 French Road, Richard Treat of 8 Lyman Road, Gwen Marrion of 38 Maple Valley Road, Robert Lessard of 15 Pinehurst Road, Gerry Wright of 17 Bolton Road, Jim Aldrich of 35 Hanover Farms Road, Ron Rousseau of 12 Dana Drive, Asim Etem -owner of a banquet facility at 60 Villa Louisa Road, Judy Wilson of 19 Hanover Farms Road, Gary Bergeron of 7 Bolton Center Road, Mark Piechowicz - owner of 4 Tolland Road, Tom Revall of 25 Bolton Road, Bob Fournre of 4 Hanover Farms Road representing the Bolton Republican Town Committee (BRTC) read a statement into the record, Richard Treat of 8 Lyman Road and owner of other

properties in town, State Representative of the 55th District Pamela Sawyer of 95 South Road who spoke on behalf of the businesses in town, Catherine Peacock of 25 Quarry Road, Steve Rockefeller representing Able Coil at 25 Howard Road, Fire Marshal Ray Walker of 168 Bolton Center Road speaking to suggested distances of cistern installation by the BOS, Deputy Fire Chief Peter Morra of 168 Bolton Center Road, Bob Munroe of 24 Pondview Road, and Kevin Byam of 1239 Boston Turnpike.

The Board viewed a map of existing water supplies and a conceptual plan of water supply locations for fire protection using 15,000 gallon cisterns presented by Joyce Stille who said she was representing the Board of Selectmen (BOS). She said that the BOS is requesting that the PZC amend the regulation for an easement to be given with the sale of each property within the conceptual map for potential cistern installation and to have 10% of the building permit fee to be set aside to pay for upgrades and that there is a commitment from the BOS to set aside \$50,000.00 each year for cisterns.

Judy Wilson, Vice-Chair of the Bolton Board of Finance (BOF) read into the record a statement on behalf of the BOF to repeal Section 3C of the Zoning Regulations.

P. Carson read into the record the following documents submitted for Section 3C Water Supply for Fire Protection:

- November 6, 2014: Letter from the Bolton Board of Education to the Planning and Zoning Commission Subject: Concern about funding for schools and fostering growth of the tax base
- November 10, 2014: Memorandum from Chief Dixon, Fire Commission Chair Udin, and Fire Marshal Walker to Eric Luntta, Chair Bolton Planning and Zoning Commission Subject: Additional Considerations of Water Supply
- 11-12-14: Email from Robert C. Galle to Eric Luntta Subject: P&Z Commission 11-12-14
- November 12, 2014: Email and attachments from Thomas Manning to Eric Luntta Subject: Firefighting Water Supply Regulations

A. Teller MOVED to CLOSE the public hearing for the Bolton Planning and Zoning Commission application for amendments to Section 3C: Water Supply for Fire Protection. J. Scala SECONDED. MOTION CARRIED 7:0:0.

The regular meeting resumed at 9.28 p.m.

3. Approval of Minutes: E. Luntta MOVED to address this item at the next regular meeting. J. Scala SECONDED. MOTION CARRIED 7:0:0.
4. Resident's Forum (Public Comment for items not on the agenda): Richard Treat of 8 Lyman Road spoke about the Bolton Land Trust ownership of a piece of property but cannot find all the delineation pins with abutters. He asked that the Commission give special attention that all pin locations on approved site plans are actually there.
5. Report of the Zoning Enforcement Officer: J. Rupert reported on activity at 365 West Street; the restaurant project on West Street which is underway; and a roaming goat issue at 61 Shoddy Mill Road.
6. Old Business:

a. Discussion/Possible Decision: Bolton Planning and Zoning Commission application for amendments to Section 3C: Water Supply for Fire Protection as follows:

1. Complete repeal of Section 3C: Water Supply for Fire Protection
2. Suggestions for Amendments to Commercial/Industrial Uses
3. Suggestions for Amendments to Residential Uses

Board discussion followed on information received during the public hearing tonight and how to move forward with the proposed amendments. The majority of the Board favored repeal of Section 3C with a provision for easement language.

As directed by the Commission, P. Carson will draft language for repeal of commercial regulations, draft easement language for commercial properties and draft amended language for residential properties based on Board discussion tonight.

Discussion on Section 3C of the Bolton Zoning Regulations: Water Supply for Fire Protection was continued to the next regular meeting.

b. Other: There was no other business.

7. New Business:

a. Discussion/Possible Decision: C.G.S Section 8-24 Referral – Renovate/Expand School Tennis Courts:

J. Stille presented the proposal for the renovation and expansion of the Bolton High School tennis courts for review by the Commission.

J. Cropley MOVED to APPROVE the following resolution:

“RESOLVED that the Planning and Zoning Commission of the Town of Bolton approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

The renovation and expansion of the tennis courts at the Bolton High School Complex substantially in accordance with the design prepared by Jacobson Engineering revised November 3, 2014.”

N. Kerr SECONDED. MOTION CARRIED 7:0:0.

b. Subdivision Application/Receipt: Donohue Subdivision, one lot, 65 French Road, Raymond and Rita M. Donohue:

Attorney Terrance Frolich, representing the applicants, provided background information on the proposed project. He said it is his opinion that this is not a subdivision application under the zoning regulations and notification to abutters can be waived and a public hearing would not be necessary as the lot received all required permits 18 years ago.

Some Board members said this property has come before the PZC recently as an informal discussion item.

E. Luntta MOVED to RECEIVE the application of Raymond and Rita M. Donohue for the Donohue Subdivision, one lot, 65 French Road, Bolton, CT. N. Kerr SECONDED. MOTION CARRIED 6:0:1 with A. Teller abstaining.

A. Teller vacated his seat on the Commission for this application and sat in the audience. C. Davey was seated for A. Teller. Board discussion followed.

J. Scala MOVED to set a public hearing date for the application of Raymond and Rita M. Donohue for the Donohue Subdivision, one lot, 65 French Road, Bolton, CT for Wednesday, December 10, 2014 at 7:45 p.m. at the Bolton Town Hall, 222 Bolton Center Road, Bolton, CT. J. Scala SECONDED. MOTION CARRIED 7:0:0.

A. Teller resumed his seat on the Board.

c. Discussion/Possible Action: Schedule of 2015 Regular Meeting Dates

J. Scala MOVED to APPROVE the schedule of 2015 regular meeting dates as presented in the memo dated November 13, 2014 with the November date being scheduled for the third Wednesday, November 18, 2015. A. Teller SECONDED. MOTION CARRIED 7:0:0.

d. Discussion: FY 2015-2016 Budget: J. Rupert said the budget is due December 15, 2014. Discussion on this item was moved to the next regular meeting on December 10, 2014.

e. Preliminary Discussion: Planning and Zoning Regulations regarding drive-thru windows for businesses, Mountain Top Services: M. Hathaway requested that discussion on this item be postponed to the January 14, 2015 regular meeting.

f. Other: There was no other new business.

8. Plan of Conservation and Development Discussion: P. Carson reported that the BOS has selected Planometrics as the 2016 POCD consultant. Glen Chalder of Planometrics requested the PZC schedule a kick-off meeting for POCD discussion. Consensus of the Board was to schedule a meeting for Monday, December 8, 2014 at 7:30 p.m. Discussion followed on special 2015 meeting dates for POCD discussion with Planometrics.
9. Correspondence: The Connecticut Federation of Planning and Zoning Agencies Newsletter for fall 2014 was distributed to the members.
10. Adjournment: J. Copley MOVED to ADJOURN the meeting at 10:39 p.m. J. Scala SECONDED. MOTION CARRIED 7:0:0.

Respectfully submitted by Linda H. McDonald

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