

**BOLTON PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**7:30 PM, WEDNESDAY, JULY 9, 2014**  
**BOLTON TOWN HALL, 222 BOLTON CENTER ROAD**

**MINUTES & MOTIONS**

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

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

**Others Present:** Fire Marshal Ray Walker Jr, Milton Hathaway, Steve Penney, William Anderson, Peter Henry, Barry Ellison, members of the Bolton Volunteer Fire Department and others.

1. Call to Order: Chairman E. Luntta called the meeting to order at 7:33 p.m.

E. Luntta MOVED to add item 6.a under New Business: Informal Discussion for possible subdivision at 160 Hebron Road by Eric Olivieri and move Other New Business to item 6.b. A. Teller SECONDED. MOTION CARRIED 7:0:0.

2. Approval of Minutes: June 11, 2014 regular meeting minutes and June 25, 2014 special meeting minutes:

A. Teller MOVED to APPROVE the regular meeting minutes of June 11, 2014 as written. T. Manning SECONDED. MOTION CARRIED 7:0:0.

T. Manning MOVED to APPROVE the special meeting minutes of June 25, 2014 as written. A. Teller SECONDED. MOTION CARRIED 6:0:1 with J. Cropley abstaining.

3. Residents' Forum (Public Comment for items not on the agenda): There was no public comment.

4. Report of the Zoning Officer: J. Rupert reported on zoning enforcement issues and said the department continues to see an influx of permit activity.

J. Rupert expressed that he would like the Board to consider something regarding the fire protection regulations. He said he sat with a group of people for over a year who worked very hard over several meetings and sub-committee meetings to come up with the Executive Summary and report which the PZC accepted. J. Rupert said his personal opinion is that he is not in favor of abolishing regulations, but it seems to him there were two majority opinions that were shared with the PZC in the report 1) residential requirements and 2) the other part which received overwhelming support in favor of abolishing regulations. His opinion is that, if the

Commission is not going to follow the committee's recommendations, the committee should be given some reasons why. J. Rupert explained that if he was one of the volunteers that sat on the committee for a year and a half, he would be upset if he felt his opinion was just being glossed over.

Addressing J. Rupert's comments, E. Luntta said that the Commission was polled on whether it was necessary to modify the existing regulations or not to have the regulations. The Commissioners also received copies of the Executive Report to read. E. Luntta thinks it unfair to say the Commission has not considered the substance of what the Fire Protection Regulations Committee had come forth with in their deliberations whether they all agreed or not.

J. Rupert said he is not critical of the Commission but hopes that the reasons come out as the Board discusses this and goes to public hearing.

5. Old Business

a. Review/Discussion: Summary Report of Fire Protection Regulations Advisory Committee

The Commission reviewed a revised copy of the suggestions for fire protection amendments compiled by P. Carson based on prior discussion and information received from the Fire Department of the fire flow calculations for different square footages as requested at the last meeting. Discussion followed on possible language changes in sections 3C2 and 3C3.

J. Scala MOVED to table further discussion on this agenda item to after agenda item 8. J. Cropley SECONDED. MOTION CARRIED 7:0:0.

b. Informal Discussion: Irregular Lot Provision for Possible Subdivision and Open Space Fees at 63 French Road by William Anderson:

Steve Penney from Manchester stated he was here tonight with Pete Henry and property owner William Anderson to discuss the possibility of a subdivision on French Road and would take advantage of the Irregular Lot provision in the regulations. He said he is also looking for some indication of how the open space provision in the regulations would be applied. S. Penney began the discussion with detailed conveyance and permit histories for this property's four parcels (A, B, C, and D).

S. Penney said Parcel A has a house on it and is a buildable lot owned by Nancy Varca and Parcel B has a house on it but is not an approved building lot. Parcels C and D (the additional acreage) are owned by William Anderson who is also the abutter and has access to the parcels. He said the reasons for this proposal are to legitimize Parcel B and get the irregular lot provision for Parcel A.

A. Teller disqualified himself from this discussion after confirming with S. Penney that it was his intent to submit a map showing all four properties and to include them all with consent. A. Teller explained the reason he was recusing himself from this discussion was that he did not

participate in the discussion for the informal discussion by William Anderson regarding future use of Lot C of the Nancy Varca and Paula Rose Varca Subdivision on French Road at the July 17, 2013 PZC meeting.

Discussion followed on determining how many lots would be proposed for this subdivision and that the owners of Parcel B would have to be co-applicants if this were to be a three lot subdivision. There was no open space allocated in 1996 when Parcel B was divided from Parcel A incorrectly per the regulations and there was no PZC approval for this subdivision at that time. Because this is an informal discussion, the Board did not make any decisions on granting the irregular lot provision or determining the open space fees. Individual members offered their own opinions.

c. Other

6. New Business

a. Informal Discussion: Possible subdivision at 160 Hebron Road by Eric Oliveiri:

Barry Ellison, Professional Engineer with Alliance Engineering, said he was representing Eric Olivieri, property owner of 160 Hebron Road located at the corner of School and Hebron Roads. He distributed a conceptual plot plan done by Alliance Civil Engineers of Oakdale, CT.

E. Luntta informed B. Ellison that this is an informal discussion and anything said by a Commissioner is their opinion and doesn't constitute a decision. B. Ellison said he is looking for feedback on the open space and that he also has an irregular lot proposed.

B. Ellison described the four lot proposed subdivision stating that Lot 1 has an existing house and he is proposing to divide three additional lots. He said that Lots 1, 2, and 3 are fully compliant with the R1 zoning regulations and that soil testing and ground water monitoring have been performed recently. B. Ellison explained that proposed Lot 4 has 155' of frontage which is 45' short of the requirement but does have the building line width required for an irregular lot.

Discussion followed and the members gave feedback on the process of submitting the name of an appraiser to the Board during the application process.

b. Other: A. Fiano said she would like to represent the Heritage Farm Committee on the subcommittee for the new Bolton Center Study group for the Vibrant Communities Initiative Grant (VCI). She has represented the PZC and is asking for another volunteer from the PZC to serve in her place on this new committee. C. Davey volunteered to serve on this committee and will get more information before asking the Commission to recommend him for nomination by the Board of Selectmen.

7. Plan of Conservation and Development: P. Carson reported that she is working on the RFP for the consultant. She said the telephone survey is in the process of being reviewed and will start soon.
8. Correspondence
- 5.a Review/Discussion: Summary Report of Fire Protection Regulations Advisory Committee (continued):

P. Carson said she will 1) prepare the repeal amendment for the Commercial and Industrial regulations and the changes recognized by the Majority Report for the Residential section of the regulations and 2) prepare an amendment based on what was discussed tonight and outline the different levels of choices.

After discussion, the consensus of the Board was to separate the residential and commercial fire protection regulations to alleviate confusion and structure the public hearing and to make the regulations easier to adopt and enforce.
9. Adjournment: E. Luntta MOVED to ADJOURN the meeting at 9:42 p.m. T. Manning 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.