

FINAL MINUTES
BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, WEDNESDAY, NOVEMBER 14, 2012
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD

Members Present: Eric Luntta, Tom Manning, Jim Cropley,
Jeffrey Scala, Arlene Fiano, Adam Teller, Carl Preuss (Alternate)
Members Absent: Loren Otter, David Treadwell (Alternate)
Others Present: John D. Pagini, AICP, Director of Community Development;
Jim Rupert, Zoning Enforcement Officer; Karen Mills, Recording
Secretary; Ray Walker, Fire Marshall; Milton Hathaway

Chairman Eric Luntta called the Regular Meeting to order at 7:34 p.m. Carl Preuss was appointed for Loren Otter.

1. Approval of Minutes:

- a. October 10, 2012 Public Hearing
Adam Teller moved to accept the October 10, 2012 Public Hearing Meeting Minutes as written. The motion was seconded by Jim Cropley and passed (6-0-1) with Jeffrey Scala abstaining.
- b. October 10, 2012 Special Meeting
Jim Cropley moved to accept the October 10, 2012 Special Meeting Minutes as written. The motion was seconded by Tom Manning and passed (6-0-1) with Jeffrey Scala abstaining.
- c. October 17, 2012 Public Hearing Minutes
Adam Teller moved to accept the October 17, 2012 Public Hearing Meeting Minutes as written. The motion was seconded by Jeffrey Scala and passed unanimously (7-0).
- d. October 17, 2012 Regular Meeting Minutes
Adam Teller moved to accept the October 17, 2012 Regular Meeting Minutes with the following corrections: p. 2, 2nd paragraph change wording to “fringe of the pond which was not feasible due to design issues and a shortage of available material on site”; p3 under Old Business 4a. change “we had” to “he had”; on p. 4, 2nd to last paragraph change wording to read “Mr. Pagini mentioned that the applicant wanted the landscape bond released. The bond was established to guarantee the planting of trees at the stream crossing.” Later in the same

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paragraph change “trees” to “tree,” and omit extra period after the word “wetlands.” The motion was seconded by Jim Cropley and passed unanimously (7-0).

Eric Luntta suspended the Regular Meeting to open the Public Hearing at 7:48 p.m.

The Regular Meeting was reconvened by Chairman Luntta at 8:21 p.m.

2. Residents’ Forum (Public Comment)

None.

3. Report of the Zoning Enforcement Officer

Mr. Rupert gave an oral report concerning 4 new applications for housing, a sprinkler system for Simonize, as well as a few smaller permits. A short discussion ensued about the tractor trailer violations and other ongoing enforcement issues. Mr. Pagini spoke briefly about 2 women who are interested in bringing a Subway store to the Fiano plaza. Mr. Pagini then spoke about the large vacant property next to the access for Bolton Lake, where potential buyers are serious about some village-style development. A discussion ensued about water pollution control issues at these sites.

4. Old Business

- a. Application of the Bolton Planning and Zoning Commission in connection with amendments to Section 16 A of the Bolton Zoning Regulations concerning Financial Guarantees for Public Improvements associated with site plans, as authorized by Public Act 12-182. Mr. Pagini reviewed the proposed changes in the drafts that were handed out to Commission members, including a long version and a short version. A short discussion ensued with a few edits mentioned. Adam Teller said that he thinks we could safely use the short version, clean copy dated 11/6/12, with a few minor edits suggested by Commission members including changing the reference to “16a.4.i of these regulations” in the last paragraph. Adam Teller made a motion to continue and reconvene the Public Hearing on Section 16A of the Bolton Zoning Regulations and Sections 14 and 15 of the Bolton Subdivision Regulations on December 5, 2012 at 7:45 p.m. at the Bolton Town Hall, 222 Bolton Center Road, Bolton, CT. The motion was seconded by Eric Luntta and passed unanimously (7-0). Adam Teller made a motion to table item 4a on the November 14 Regular Meeting Agenda. The motion was seconded by Jim Cropley and was approved unanimously (7-0).

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- b. Application of the Bolton Planning and Zoning Commission in connection with amendments to Sections 14 and 15 of the Bolton Subdivision Regulations concerning Financial Guarantees for Public Improvements, Maintenance of Public Improvements, and Erosion and Sedimentation Control, and Financial Guarantees for Public Improvements associated with subdivisions, as authorized by Public Act 12-182. A motion was made by Jeffrey Scala to table item 4b of the November 14 Regular Meeting Agenda. The motion was seconded by Tom Manning and passed unanimously (7-0).

5. New Business

- a. Amendments to Section 3A.9 of the Bolton Zoning Regulations entitled Erosion and Sediment Control as they apply to financial guarantees.

A motion was made by Tom Manning to table item 5a of the November 14 Regular Meeting Agenda. The motion was seconded by Jim Cropley and passed unanimously (7-0).

- b. Appointment of Fire Protection Regulations Committee (authorization from Board of Selectmen for Committee containing some non-PZC members).
Mr. Pagini referred the Commission members to a handout on this issue reflecting the Selectmen's finance Committee actions. Ray Walker, Fire Marshall, and member of the board of Selectmen, spoke briefly on the issue concerning changes to the composition of the Committee made on November 13, to include an alternate for the Board of Selectmen, and an alternate for either the Fire Marshall or the Fire Chief, and a short discussion ensued. Mr. Teller said that he believes a member of the public at large should be on the Fire Protection Regulations Committee as well. Mr. Walker stated that he believed that the Board of Selectmen would be open to making the list of members more inclusive of public input. A lengthy discussion ensued. Tom Manning made the following motion: that the Bolton Planning and Zoning Commission form a Fire Protection Advisory Committee and seek appointment of members and alternates as approved by the Board of Selectmen, plus a position on the committee for a resident of the town with no special position and request the addition of that position from the Board of Selectmen. Jeffrey Scala seconded the motion. More discussion ensued. The motion passed unanimously (7-0). A decision was made to wait to appoint members from the PZC until the Board of Selectmen agree with the changes proposed this evening. The Commission agreed to come up with a list of recommendations for business owners and residential builders for the Committee.

- c. Authorization for staff to draft amendments to zoning to create consistency of landscaping requirements. Mr. Pagini said he would attempt to have a draft for the

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December 5 meeting, or at least an analysis identifying consistencies and conflicts...
A short discussion ensued.

d. Receipt and setting of public hearing on amendment to Section 15 allowing the Commission to accept transportation demand management measures and allow a comparable reduction in parking requirements. Mr. Pagini referred the Commission members to a handout concerning a proposed amendment to Section 15Q: Waivers and Exceptions. He spoke about the issue briefly. Mr. Manning and Mr. Teller both said they think this would be a good idea, but brought up concerns about enforcement. Lengthy discussion followed. Adam Teller made a motion to set a Public Hearing on an amendment to Section 15Q allowing the Commission to accept transportation demand management measures and allow a comparable reduction in parking requirements for January 16, 2013 at 7:45 p.m. at the Bolton Town Hall, 222 Bolton Center Road, Bolton CT. The motion was seconded by Eric Luntta and passed unanimously (7-0).

e. Sperry's Glen: Demand for release of performance and E&S bonds. Mr. Pagini spoke about this complex issue and referred to two letters from opposing interests; a letter from Mr. Pagini to the attorney representing the heirs of Mr. Wood, and an opinion from the Town attorney, all of which were supplied to the Commission. Discussion ensued about the options available to the Commission and the applicants.

f. Election of Officers. Mr. Luntta said he has spoken with Loren Otter who said he most likely will not be able to come back to the Commission. Mr. Luntta said he advised Mr. Otter that it would be Mr. Otter's decision either to resign or remain on the Commission. At this point, Mr. Otter has decided to not seek reappointment as Vice Chair/Secretary of the Commission. The following nominations were made: Nomination for chair: Eric Luntta; Nomination for Vice-Chairman/Secretary: Jeffrey Scala. Both Eric Luntta and Jeffrey Scala accepted their nominations. The Commission voted on the nominations and Mr. Luntta and Mr. Scala were elected unanimously as Chair and Vice Chair, respectively. Tom Manning suggested that the Commission should send a letter of thanks to Mr. Otter for his service, and the Commissioners agreed...

g. FY 2014 budget. Mr. Pagini said the message from the Selectmen is simple: hold the line. However, he reminded the Commission that it needs to prepare a new POCD by 2015. Discussion ensued about the need for funding for this to retain outside specialized professional planning help as well as a GIS specialist. Mr. Luntta asked for staff recommendations for the next meeting. Mr. Preuss said that since these are

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state-required mandates, the Commission should be able to ask for more funds for this purpose. Mr. Pagini said he would come back with a draft budget for the December 5 meeting.

h. 2013 PZC Meeting Schedule. The Commission discussed the proposed dates. Mr. Preuss suggested that we curtail the Special Meetings in June, July and August. Mr. Scala said it is easy enough to add Special Meetings if needed. Consensus was reached to delete the Special Meetings on July 10 and August 14, 2013. It was also decided to change the Regular Meeting to December 11, 2013 and the Special Meeting to December 18, 2013. A motion was made by Jeffrey Scala to accept the 2013 Meeting Schedule as amended. The motion was seconded by Tom Manning and passed unanimously (7-0).

6. Other Business. Mr. Pagini briefly discussed the following: a letter from Kevin Byam concerning a request for an E&S bond release. and a handout on suggested uses for the proposed Office park at Bolton Crossroads.

7. Correspondence

a. 2011-12 Annual Report: PZC. The Commission noted that the annual Report a great deal of work the Commission has accomplished in the past year

8. Adjournment

A motion to adjourn was made by Tom Manning and seconded by Jim Cropley. The motion passed unanimously (7-0) and the meeting was adjourned at 10:31 p.m.

Respectfully Submitted:



Karen Mills
Planning & Zoning Board Clerk