

BOLTON PLANNING & ZONING COMMISSION  
REGULAR MEETING AGENDA  
7:30 PM, WEDNESDAY, AUGUST 12, 2015  
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD

1. Call To Order
2. 8-24 Referral: Cisterns and Dry Hydrant Town-wide Plan
3. PUBLIC HEARINGS (begin at 7:45pm)
  - a. *ReSUBDIVISION APPLICATION*: 1-Lot, 61 French Road, William Anderson/Nancy Varca
  - b. *APPLICATION*: Zoning Regulation Amendments to Section 6A.10 for the Keeping of Livestock & Poultry, Bolton PZC
4. Approval of Minutes:

June 10, 2015 Regular Meeting Minutes	July 22, 2015 Special Meeting Minutes
July 8, 2015 Regular Meeting Minutes	August 6, 2015 Special Meeting Minutes
5. Residents' Forum (Public Comment for items *NOT* on the agenda)
6. Report of the Zoning Enforcement Officer
7. Old Business
  - a. *DISCUSSION/POSSIBLE DECISION*: ReSubdivision Application, 1-Lot, 61 French Road, William Anderson/Nancy Varca
  - b. *DISCUSSION/POSSIBLE DECISION* : Zoning Regulation Amendments to Section 6A.10 for the Keeping of Livestock & Poultry, Bolton PZC
  - c. Other
8. New Business
  - a. *APPLICATION*: Zoning Regulation Amendments to allow Drive-thru Regulations on a case-by-case basis, Ted & Joyce Moran
  - b. Other
9. Plan Of Conservation & Development Discussion
10. Correspondence
11. Adjournment



# Town of Bolton

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222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOARD OF SELECTMEN  
(860) 649-8066  
FAX (860) 643-0021

August 10, 2015

Eric Luntta, Chair  
Planning and Zoning Commission  
222 Bolton Center Road  
Bolton, CT 06043

RE: Town-wide Fire Protection Plan

Dear Eric:

The Board of Selectmen is working on the implementation of the Town-wide Fire Protection Plan. At this point in time, the plan is as discussed with the Planning and Zoning Commission during the hearings on the water supply regulation. At its August 4, 2015 meeting, the Board of Selectmen Facilities and Public Safety supported referring the Town-wide Fire Protection Plan to the Planning and Zoning Commission as required under C.G.S. 8-24. I will attend your meeting to answer any questions.

Please do not hesitate to contact either Administrative Officer Joyce Stille or myself if you require additional information or have any questions.

Sincerely,

Robert R. Morra  
First Selectman

Cc: Patrice Carson, Director of Community Development  
Jim Rupert, Building Official/Zoning Enforcement Officer

JUN - 4 2015

TOWN OF BOLTON  
LAND USE DEPT.



# Town of Bolton

Pd 6/4/15  
CK# 2123  
\$360.00  
PL-15-4

222 BOLTON CENTER ROAD • BOLTON, CT 06043

## BOLTON PLANNING AND ZONING COMMISSION

### APPENDIX I

#### APPLICATION FOR APPROVAL OF SUBDIVISION / RESUBDIVISION / MODIFICATION OF PREVIOUSLY APPROVED SUBDIVISION / RESUBDIVISION

1. NAME OF SUBDIVISION / RESUBDIVISION \_\_\_\_\_
2. CHECK ONE: APPLICATION IS FOR: SUBDIVISION \_\_\_\_\_ RESUBDIVISION  MODIFICATION \_\_\_\_\_
3. STREET ADDRESS OF SUBJECT PROPERTY 61 French Rd.  
ZONE R-1 DEED REFERENCE: VOLUME 164/164186 PAGE 612/614/1076  
ASSESSOR'S MAP # 17 BLOCK # \_\_\_\_\_ LOT # 11+11A
4. APPLICANT(S) William Anderson / Nancy Varca  
ADDRESS 77/61 French Rd. ZIP 06043  
Bolton, CT.  
PHONE # 860-803-1846 FAX # \_\_\_\_\_; E-MAIL william.anderson@pl.com

I AM A WILLFUL PARTICIPANT AND FULLY FAMILIAR WITH THE CONTENTS OF THIS APPLICATION.

SIGNATURE(S) OF APPLICANT(S) William H. Anderson; Nancy Varca

5. OWNER(S) OF RECORD William Anderson / Nancy Varca  
ADDRESS 77/61 French Rd. Bolton CT ZIP 06043 william.h.anderson@pl.com  
PHONE # 860-803-1846 FAX # \_\_\_\_\_ E-MAIL william.h.anderson@pl.com

I AM A WILLFUL PARTICIPANT AND FULLY FAMILIAR WITH THE CONTENTS OF THIS APPLICATION.

SIGNATURE(S) OF OWNER(S): William H. Anderson; Nancy Varca

6. OFFICIAL CONTACT REGARDING THIS APPLICATION:  
NAME Andrew Bushnell  
COMPANY Bushnell Associates LLC.  
ADDRESS 563 Woodbridge St. ZIP 06042  
Manchester CT.  
PHONE # 860-643-7875 FAX # 860-643-7875 E-MAIL abushnell@sbcglobal.net

7. APPLICANT'S ENGINEER:

NAME Andrew Bushnell PEELS.  
COMPANY Bushnell Associates LLC.  
ADDRESS 563 Woodbridge St. ZIP 06042  
Manchester, CT.  
PHONE # 860-643-7875 FAX # 860-643-7875 E-MAIL abushnell@sbcglobal.net

8. APPLICANT'S SURVEYOR::

NAME Andrew Bushnell PEELS.  
COMPANY Bushnell Associates LLC.  
ADDRESS 563 Woodbridge St. ZIP 06042  
Manchester, CT.  
PHONE # 860-643-7875 FAX # 860-643-7875 E-MAIL abushnell@sbcglobal.net

9. OTHER EXPERTS RETAINED BY THE APPLICANT: Highland Soils LLC  
P.O. Box 337 Storrs CT 06268

10. NUMBER OF NEW LOTS IN SUBDIVISION / RESUBDIVISION 2 with d/10/15

11. TOTAL ACREAGE OF SUBJECT PROPERTY BEING DIVIDED 7.60

12. TOTAL LENGTH OF NEW PUBLIC ROADS 0 FEET

13. TOTAL ACREAGE OF PROPOSED OPEN SPACE: 0

14. IF MODIFICATION, DESCRIBE NATURE OF SUCH MODIFICATION: N/A

15. IS APPLICATION FOR OPEN SPACE CONSERVATION DEVELOPMENT? NO. IF YES, SPECIAL PERMIT APPLICATION TO BE SUBMITTED CONCURRENTLY.

16. ARE THE SUBDIVISION / RESUBDIVISION ACTIVITIES SUBJECT TO THE BOLTON INLAND WETLANDS AND WATERCOURSES REGULATIONS? Yes IF YES, APPROVAL MUST BE SECURED BY THE APPLICANT PRIOR TO PZC ACTION. STATUS: Approved May 16, 2015

17. PROVIDE ALL THE APPLICABLE ITEMS FOR A COMPLETE APPLICATION INCLUDING THE COMPLETED CHECKLIST FOR SUBDIVISION / RESUBDIVISION APPLICATIONS

A COMPLETED CHECKLIST MUST BE PROVIDED TO COMPRISE A COMPLETE APPLICATION

FOR TOWN USE ONLY:

DATE FILED WITH TOWN \_\_\_\_\_

BASE FEE PAID \$300.00 CHECK # 2123 (APPLICANTS MAY BE SUBJECT TO SUPPLEMENTAL REVIEW FEES TO DEFRAY THE COST OF PROFESSIONAL REVIEW SERVICES, SUCH AS ENGINEERING OR LEGAL REVIEWS)

**BOLTON PLANNING AND ZONING COMMISSION  
CHECKLIST  
FOR SUBDIVISION & RESUBDIVISION APPLICATIONS  
Revised March 11, 2009**

THIS CHECKLIST MUST BE COMPLETED BY THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE AND SUBMITTED WITH THE APPLICATION.

The Planning and Zoning Commission will use this checklist in determining the completeness or incompleteness of the application. The applicant is responsible for providing all the applicable information on this checklist. The applicant is encouraged to provide any additional information to clearly present a proposed activity and its potential effects on the community. The Commission may require additional information not included in this checklist to determine compliance with the regulations.

AN APPROVAL OF AN APPLICATION COULD BE DENIED IF AN APPLICATION LACKS SUFFICIENT INFORMATION.

WAIVERS. Some of the items below are essential for any application while others may not be applicable for a particular proposal. The applicant is encouraged to ask the town staff to review the completed application with all supporting information and the completed checklist, prior to submitting the application to the Planning and Zoning Commission so that the staff can provide the applicant an opinion on the completeness of the application. The applicant shall provide an accompanying narrative for any item that is represented by the applicant as not applicable or not included. Should the applicant intend to seek a waiver of any requirement of the Bolton Subdivision Regulations pursuant to Section 1.3, the applicant shall submit an itemized request listing each such waiver with a statement justifying such request at time of application.

SUPPLEMENTAL REVIEW FEES: The applicant may be liable for supplemental review fees to defray the cost of professional review services, such as engineering, legal, and traffic reviews. Staff will seek estimates of these professional services at time of application acceptance. Please see the attached fee schedule.

Name of Subdivision or Resubdivision: \_\_\_\_\_

Applicant William Anderson Date 6/4/15

Item	Description	Applicant		Staff	
		Included	Not Included	Completeness Opinion	
				Yes	No
1	Completed, signed application by applicant and owner	✓			
2	Payment of required application fees				
3	All draft deeds, easements and declarations for all proposed roads, road widenings and open spaces, letter of consent from entity to receive open space and easements for drainage, conservation, driveways, utilities		✓		
4	Evidence of Approval by the Health District and/or Sewer Authority		✓		
5	Evidence of approval of the proposed activity by the Inland Wetlands Commission if it is within that Commission's jurisdiction	✓			

Item	Description	Applicant		Staff	
		Included	Not Included	Completeness Opinion	
				Yes	No
6	Evidence of approval by the Fire Marshal and Fire Chief of the water supply for fire protection		✓		
7	Copies of any required applications for other local, state or federal regulatory approvals		✓		
8	Written evidence of applicant's legal interest in the subject property (deed, lease, option to purchase, bond for deed, etc.)	✓			
9	List of all current property owners within 500 feet of the subject property obtained from the Town Assessor records.	✓			
10	Paper and digital copies of all reports including hydrology, hydraulic and drainage computations and				
11	14 sets of complete stamped and signed plans measuring 24" x 36", and at a scale not more than 40' to the inch	✓			
	<b>ITEMS 12 THROUGH 65 SHALL BE INCORPORATED IN THE SET OF PLANS</b>				
12	A-2 boundary survey of the subject property showing all existing and proposed boundary lines and markers, easements, adjoining property lines and the names of all current abutting property owners	✓			
13	Subdivision owner's name and address, total area of subdivision and number of lots, shown on plan	✓			
14	Digital copy of plans in DXF, DGN, or other format acceptable to Town staff		✓		
15	Plan title block in the extreme lower right corner (not sideways) to include the subdivision name, individual sheet title and the name of the Town of Bolton	✓			
16	All plan sheets numbered with the format "sheet x of y"	✓			
17	Clear legible plans with all lines, symbols and features readily identifiable	✓			
18	North arrow on each plan including the reference meridian	✓			
19	Graphic bar scale on each plan sheet, within the acceptable scale limits of the regulations	✓			
20	Overall plan of site at a smaller scale, with sheet index, if the site does not fit on one sheet at required scale		N/A		
21	Key map at a scale of 1"= 500' showing the relation of the site to abutting properties and streets, shown on plan	✓			
22	Original and revision plan dates and revision explanations shown on the affected plan sheets	✓			
23	Total area of Subdivision	✓			
24	Square footage and acreage of all lots, roads, open spaces, easements, etc.	✓			
25	Number of lots in Subdivision	✓			
26	Existing and proposed property and street lines	✓			
27	Existing and proposed watercourses and ponds	✓			
28	Existing and proposed easements and ROWs	✓			
29	Existing and proposed lot markers and lot numbers	✓			
30	Proposed Street numbers		✓		

Item	Description	Applicant		Staff	
		Included	Not Included	Completeness Opinion	
				Yes	No
31	All dimensions to 1/100 <sup>th</sup> of a foot, and all bearings or angles on all property lines and easements, existing and proposed.	✓			
32	Central angle, arc length, and radius of all arcs	✓			
33	Width of streets, ROWs, and easements	✓			
34	Proposed street names		N/A		
35	Existing and proposed street monuments	✓			
36	Length of proposed streets		N/A		
37	Survey relationship of proposed streets to Town roads or State Highways		N/A		
38	Revision number, date, and brief description of revision	✓			
39	Commission's endorsement signature block on each plan sheet in accordance with Section 8.t.	✓			
40	Existing and proposed parks, recreation areas, and open spaces		N/A		
41	Existing and proposed grading with two foot contours for all ground surfaces based on USGS datum, shown on plan	✓			
42	Existing and proposed structures and features, their uses and those to be removed, shown on the plan	✓			
43	Existing and proposed driveway entrances to street	✓			
44	Sight distances from property entrances along public roads shown on plan and on profile if grading is needed		✓		
45	Existing and proposed water supply shown on plan	✓			
46	Existing wells and sewage disposal systems on other properties that could conflict with proposed site improvements, shown on plan	✓			
47	Existing and proposed footing drains, curtain drains and dry wells, shown on plan	✓			
48	Existing and proposed drainage systems, any affected floodway and construction detail drawings, shown on plan	✓			
49	Existing stone walls, fences, trails, foundations and other similar landmarks, shown on plan	✓			
50	Existing and proposed bridges and culverts on or adjacent to the site, shown on plan	✓			
51	Zoning district boundaries and zoning dimensions table	✓			
52	Table shown on plan of zoning dimensions required and provided for lot area, street frontage, lot width, yard setbacks, impervious area and building coverage	✓			
53	Location of minimum buildable area for each lot, shown on plan		✓		
54	Limits of wetlands as delineated by a certified soil scientist with the soil scientist's signed certification, shown on plan or a certification signed by a soil scientist that no wetlands are within 100 feet	✓			

Item	Description	Applicant		Staff	
		Included	Not Included	Completeness Opinion	
				Yes	No
55	Natural features including watercourses, ponds, vernal pools, aquifers, 100 year flood plain areas, ridge lines, large ledge outcrops, slopes steeper than 25% and potential areas of endangered species, shown on plan		✓		
56	Soil deep test hole and percolation test locations and soil test results	✓			
57	Conceptual design and locations of principal structure, primary and reserve sewage disposal areas each with percolation and deep test holes for suitable soils, curtain and footing drains with outlets, and well; location of existing septic systems and wells on property and abutting properties that impact location of new wells and septic systems.	✓			
58	Existing and proposed streets within the ROW, edges of pavement, centerline, station numbers		N/A		
59	Driveway locations	✓			
60	Signature and seal of engineer and surveyor preparing map	✓			
61	Traffic control signs, pavement markings, street lights		N/A		
62	Plan and profile construction drawings at 1"=40' (H) scale and 1"=4' (V) scale for all the features of proposed roads, drainage systems and public improvements with construction detail drawings for all features in accordance with the regulation requirements		N/A		
63	Best management practices to remove contaminants, including sediments and oils, from runoff water, shown on plan, in construct detail drawings, and explained in a report by a qualified professional	✓			
64	Landscaping Plan		N/A		
65	Erosion and Sedimentation Control Plan, with narrative and construction detail drawings, in accordance with the latest Connecticut Guidelines for Soil Erosion and Sediment Control	✓			
66	Thorough, well-organized drainage design report for existing and proposed development conditions, that conforms to the latest Conn. Dept. of Transportation and Conn. Dept. of Environmental Protection guidelines and requirements with appropriate calculations, maps, graphics and narrative descriptions of hydrology, hydraulics, assumptions, erosion controls, drainage paths and systems for the 1, 2, 10, 50 and 100 year storm events		N/A		
67	Statement in drainage report that the after development flows for all storm events do not exceed the before development flows		✓		
68	Engineer's itemized cost estimate (including item, quantity, and price) for the installation of all erosion and sediment controls based on current published Connecticut DOT unit prices		✓		

Item	Description	Applicant		Staff	
		Included	Not Included	Completeness Opinion	
				Yes	No
69	Engineer's itemized cost estimate (including item, quantity, and price) for the construction of all public improvements based on current published Connecticut DOT unit prices		N/A		
70	Open Space Proposal: Open Space Conservation Development, Traditional Development or Fee-In-Lieu-of-Open-Space with Land Appraisal prepared by appraiser mutually agreeable to Commission and applicant	✓			
71	Written evidence from receiving entity that it is willing to accept, preserve and maintain open space		✓		

## CORRECTING QUIT CLAIM DEED -STATUTORY FORM

I, John Albert Varca, Sr., of the Town of Tolland, County of Hartford and State of Connecticut,

for no consideration,

grant to John A. Varca, Jr. and Nancy C. Varca, both of the Town of Bolton, County of Tolland and State of Connecticut, as Joint Tenants

with QUIT CLAIM COVENANTS

All that certain piece or parcel of land, with all improvements thereon, situated in the Town of Bolton, County of Hartford and State of Connecticut, shown as 7.596 ac. as set forth on a map entitled, " Prepared for JOHN VARCA, JR. BOLTON, CONN. Megson & Heagle Civil Engineers & Land Surveyors Glastonbury, Conn. Date: 2-8-96 Scale: 1"=40' Map No. 122-95-1F ", which map is recorded in the office of the Bolton Town Clerk, to which reference may be had, excluding Parcel "B" as set forth on said map, which parcel the grantor herein retains for himself.

The parcel herein conveyed runs as follows:

Commencing at the northeasterly corner of land now or formerly of Varca and the southeasterly corner of land now or formerly of Johnson, which point lies on the westerly street line of French Road;

Thence S 24 degrees 12' 16" W 215 feet to a point, said point being the northeasterly corner of Parcel B; Thence N 89 degrees 09' 53" W 347.49 feet along the northerly line of Parcel B to a point, said point being the northwesterly corner of Parcel B; Thence S 00 degrees 50' 07" along the westerly line of Parcel B, 168.31 feet to a point, said point being the southwest corner of Parcel B; Thence N 86 degrees 11' 03" E along the southerly line of Parcel B to a point, said point being the southeasterly corner of Parcel B and lying in the westerly street line of French Road; Thence S 24 degrees 12' 16" W, 56.64 feet to a point, said point being the southeasterly corner of the herein conveyed premises; Thence S 86 degrees 11' 03" W, 729.98 feet along land now or formerly of Hughes and Cross, in part by each, to a point, which point is the southwest corner of the herein conveyed premises; Thence N 03 degrees 05' 47" E, along land now or formerly of Cross, 512.53 feet to a point which point is the northwesterly corner of the herein conveyed premises; Thence N 87 degrees 05' 52" East, 446.00 feet along land now or formerly of Osterlund to a point; Thence S 41 degrees 17' 00" E, along land now or formerly of Johnson, 38.28 feet to a point; Thence S 60 degrees 17' 13" E, along land now or formerly of Johnson, 91.50 feet to a point; Thence S 88 degrees 04' 13" E, along land now or formerly of Johnson, 145.45 feet to a point; Thence N 87 degrees 24' 47" E along land now or formerly of Johnson, 129.60 feet; Thence S 68 degrees 18' 13" E, along land now or formerly of Johnson, 55.84 feet, to the point and place of beginning.

The purpose of this deed is to correct the legal description of the land conveyed to John A. Varca, Jr. and Nancy C. Varca from the grantor herein dated October 1994 and recorded in Volume 83, Page 1123.

Subject to building, building line, zoning restrictions, encumbrances and easements as of record may appear and to any and all provisions of any ordinance, municipal regulation or public or private law.

Signed this 16th day of February, 1996.

Terrance J. Fyolich  
Terrance J. Fyolich

John Albert Varca Sr  
John A Varca  
John Albert Varca, Sr.

Nancy Varca  
Nancy Varca

STATE OF CONNECTICUT )  
COUNTY OF HARTFORD ) ss. Manchester

The foregoing instrument was acknowledged before me this 16th day of February, 1996 by John Albert Varca, Sr.

Terrance J. Fyolich  
Terrance J. Fyolich  
Commissioner of the Superior Court

Grantee's Address:  
61 French Rd  
Bolton, CT 06040

CONVEYANCE TAX RECEIVED

State \$ -0- Local \$ -0- No   
Susan M. DeFoid  
TOWN CLERK OF BOLTON

RECEIVED FEBRUARY 20 1996 9:50 AM  
Susan M. DeFoid  
Town Clerk

Return to:  
Penny, Botticello & O'Brien P.C.  
202 West Center Street  
Manchester, CT 06040

STATUTORY FORM WARRANTY DEED

I, PAULA-ROSE L. VARCA, of Vernon, Connecticut for TWENTY THOUSAND DOLLARS (\$20,000.00) consideration paid, grant to WILLIAM H. ANDERSON of Bolton, Connecticut, with WARRANTY COVENANTS my one-half (1/2) interest in a certain piece or parcel of land located in the Town of Bolton, County of Tolland and State of Connecticut and known as 63 French Road and more particularly bounded and described on Schedule A attached.

Being a portion of the same premises described in a deed dated February 16, 1996 and recorded in Volume 89 at Page 260 of the Bolton Land Records.

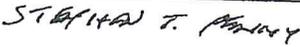
Said premises appear to be subject to the following restrictions and encumbrances: 1) Any and all provisions of any ordinance, municipal regulation, public or private law. 2) Taxes due the Town of Bolton on the List of October 1, 2013 and thereafter, which the grantee assumes and agrees to pay.

Signed this 10<sup>th</sup> day of January, 2014.

Witnessed by:

  
Elisa H. Bartlett

  
Paula-Rose L. Varca

  
STEPHEN T. PENNY

STATE OF CONNECTICUT) *Manchester*  
(SS: Coventry) January 10, 2014  
COUNTY OF HARTFORD)

Personally Appeared, PAULA-ROSE L. VARCA, Signer of the foregoing Instrument, and acknowledged the same to be her free act and deed, before me.

  
Elisa H. Bartlett/Commissioner Superior Court

Grantee's Mailing Address:  
William H. Anderson  
77 French Road  
Bolton, CT 06043

SCHEDULE A

63 French Road  
Bolton, CT

That certain piece or parcel of land, situated in the Town of Bolton, County of Tolland and State of Connecticut, known as 63 French Road, and bounded and described as follows:

Commencing at the northwesterly corner of 61 French Road, now or formerly of Nancy Varca shown on a map entitled "Plot Plan French Road Prepared For John Varca, Jr. Bolton, Conn. Rev. 12-19-94 FND Located Rev. 10-31-94 House & Septic Locations Rev. 10-10-94 Wetland Buffer House & Septic Location Rev. 10-5-94 Bounding Owner Rev. 10-4-94 House & San. Location, Lot Lines Drawn By: S.A.M. Checked By: W. J.W. Megson & Heagle Civil Engineers & Land Surveyors Glastonbury, Conn. Date 9-15-94 Scale: 1" = 40' Map No 152-94 Rev. 12-29-94 Declaration Added" which map is recorded as SW 146 in the office of the Bolton Town Clerk; thence S 00° 50' 07" W along the westerly line of said 61 French Road as shown on said map and of Parcel B, said Parcel B being shown on a map entitled, " Prepared for JOHN VARCA, JR., BOLTON, CONN. Drawn By: L.P. Megson & Heagle Civil Engineers & Land Surveyors Glastonbury, Conn. Date: 2-8-96 Scale: 1" = 40' Map No.122-95-1F", which map is recorded as SW 146A in the office of the Bolton Town Clerk, in part by each, 453.18 feet to a point, said point being the southwesterly corner of Parcel B; thence N 86° 11' 03" E along the southerly line of Parcel B 285.72' to a point, said point being the southeasterly corner of Parcel B and lying in the westerly street line of French Road; thence S 24° 12' 16" W, 56.64 feet to a point, said point, said point being the southeasterly corner of the herein conveyed premises; thence S 86° 11' 03" W, 729.98 feet along land now or formerly of Hughes and Cross, in part by each, to a point, which point is the southwesterly corner of the herein conveyed premises; thence N 03° 05' 47" E along land now or formerly of Cross, 512.53 feet to a point which point is the northwesterly corner of the herein conveyed premises; thence N 87° 05' 52" E, 446.00 feet along land now or formerly of Osterlund to the point and place of beginning.

This piece is 5.612 acres, more or less, and lies behind Parcel A and Parcel B, but contains a fifty foot wide strip on the southerly side of Parcel B to French Road. This parcel is not a building lot of record, nor an approved subdivision lot.

CONVEYANCE TAX RECEIVED  
STATE \$ 150.<sup>00</sup> LOCAL \$ 50.<sup>00</sup>  
*Nancy V. Somo*  
ASST. TOWN CLERK OF BOLTON

JAN 13 2014  
RECEIVED FOR RECORD AT 11:01 AM  
*Nancy V. Somo*  
ASST. TOWN CLERK

Record & Return to:  
Stephen T. Penny, Esq.  
Penny, Botticello & O'Brien P.C.  
202 West Center Street  
Manchester CT 06040

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**WARRANTY DEED - STATUTORY FORM**

I, **Nancy C. Varca**, of the Town of Bolton, County of Tolland and State of Connecticut (hereinafter "Grantor")

for consideration of TWENTY THOUSAND and 00/100ths (\$20,000.00) Dollars paid

grant to **William H. Anderson**, of the Town of Bolton, County of Tolland and State of Connecticut (hereinafter "Grantee")

with **WARRANTY COVENANTS** my one half (1/2) interest in and to that piece or parcel of land known as **63 French Road, Bolton, Connecticut** being more particularly bounded and described on Schedule A attached hereto and make a part hereof.

SAID PREMISES ARE CONVEYED SUBJECT TO:

Any and all provisions of any ordinance, municipal regulation or public or private law.

Taxes in favor of the Town of Bolton on the Grand List of October 1, 2012, not yet due and payable, which taxes the Grantee herein assumes and agrees to pay.

REFERENCE IS HEREBY MADE to a Quit Claim Deed from John A. Varca, Jr. and Nancy C. Varca to Paula-Rose L. Varca dated February 16, 1996 and recorded in Volume 89, Page 260 of the Bolton Land Records.



SCHEDULE A

63 French Road  
Bolton, CT

That certain piece or parcel of land, situated in the Town of Bolton, County of Tolland and State of Connecticut, known as 63 French Road, and bounded and described as follows:

Commencing at the northwesterly corner of 61 French Road, now or formerly of Nancy Varca shown on a map entitled "Plot Plan French Road Prepared For John Varca, Jr. Bolton, Conn. Rev. 12-19-94 FND Located Rev. 10-31-94 House & Septic Locations Rev. 10-10-94 Wetland Buffer House & Septic Location Rev. 10-5-94 Bounding Owner Rev. 10-4-94 House & San. Location, Lot Lines Drawn By: S.A.M. Checked By: W. J.W. Megson & Heagle Civil Engineers & Land Surveyors Glastonbury, Conn. Date 9-15-94 Scale: 1" = 40' Map No 152-94 Rev. 12-29-94 Declaration Added" which map is recorded as SW 146 in the office of the Bolton Town Clerk; thence S 00° 50' 07" W along the westerly line of said 61 French Road as shown on said map and of Parcel B, said Parcel B being shown on a map entitled, "Prepared for JOHN VARCA, JR., BOLTON, CONN. Drawn By: L.P. Megson & Heagle Civil Engineers & Land Surveyors Glastonbury, Conn. Date: 2-8-96 Scale: 1" = 40' Map No.122-95-1F", which map is recorded as SW 146A in the office of the Bolton Town Clerk, in part by each, 453.18 feet to a point, said point being the southwesterly corner of Parcel B; thence N 86° 11' 03" E along the southerly line of Parcel B 285.72' to a point, said point being the southeasterly corner of Parcel B and lying in the westerly street line of French Road; thence S 24° 12' 16" W, 56.64 feet to a point, said point, said point being the southeasterly corner of the herein conveyed premises; thence S 86° 11' 03" W, 729.98 feet along land now or formerly of Hughes and Cross, in part by each, to a point, which point is the southwesterly corner of the herein conveyed premises; thence N 03° 05' 47" E along land now or formerly of Cross, 512.53 feet to a point which point is the northwesterly corner of the herein conveyed premises; thence N 87° 05' 52" E, 446.00 feet along land now or formerly of Osterlund to the point and place of beginning.

This piece is 5.612 acres, more or less, and lies behind Parcel A and Parcel B, but contains a fifty foot wide strip on the southerly side of Parcel B to French Road. This parcel is not a building lot of record, nor an approved subdivision lot.

CONVEYANCE TAX RECEIVED  
STATE \$ 150.<sup>00</sup> LOCAL \$ 50.<sup>00</sup>  
*Nancy V. Soma*  
ASST. TOWN CLERK OF BOLTON

JAN 13 2014  
RECEIVED FOR RECORD AT 11:02 AM  
*Nancy V. Soma*  
ASST. TOWN CLERK



# Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

Date: August 1, 2015

To: Planning & Zoning Commission

From: Patrice L. Carson, AICP, Consulting Director of Community Development

Subject: William Anderson/Nancy Varca 2-Lot ReSubdivision appl. at 61 French Road

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## INFORMATION

Application No.: VP#PL-15-4

Application Date: June 4, 2015

Wetlands Permit Effective: May 26, 2015

Receipt Date: June 10, 2015

Wetlands Permit Expires: May 25, 2020

Public Notification: Published in *Hartford Courant* July 31, 2015 & August 7, 2015

Public Hearing Date(s): August 12, 2015

Applicant(s): William Anderson/Nancy Varca

Owner(s): William Anderson/Nancy Varca

## PROPOSAL/EXISTING CONDITIONS/BACKGROUND

Applicants William Anderson/Nancy Varca, of 77/61 French Road, Bolton, are seeking approval of a 2-lot ReSubdivision of 7.60 acres at 61 French Road. This property has also been previously been referred to as "63 French Road".

Located on the west side of French Road just south of the Deming Road intersection, the property is zoned R-1 and is surrounded by R-1 Zone on all sides. The property is currently vacant and is rear acreage of 7.60 acres with a 50-foot fee-owned access running along the south side of the property providing frontage on French Road. The applicant is proposing 2 new house lots served by individual septic systems and wells, and one common driveway on the north side of the property along a 50-foot fee-owned strip to be conveyed to this property from the abutting property to the south owned by Nancy Varca.

There are wetlands running along the entire eastern portion (front) of the property. Both proposed houses and the septic system on lot #2 are proposed outside the 100-foot wetlands buffer area. The septic system for lot #1 and portions of the common driveway are proposed

within the 100-foot wetlands buffer area. The common driveway is proposed to cross the wetland and therefore also within the wetlands buffer review areas.

The property is heavily wooded, and to the east are 2 residential houses which directly abut this property, one of which the Commission recently approved as the Donahue 1-lot subdivision just last year. Prior to the approval of the Donahue Subdivision, on July 9, 2014, the Commission held an informal discussion with William Anderson (the neighboring owner to the Donahue parcel), his engineer Pete Henry, and his attorney Steve Penny about 63 French Road (the same piece currently being referred to as 61 French Road in the present ReSubdivision application) which is the property surrounding 65 French Road, but the issues remain the same for both 63 and 65 French Road. The two issues discussed were open space and using the irregular lot provision for the lots in the subdivision. At that meeting the Commission said upon submission of a subdivision application it would decide on whether the subdivision met the spirit of the irregular provision as it was presented to them. The Commission did feel that the Open Space Requirement needs to be met since this was required back when the lots were "incorrectly divided" and no open space or fee was allocated at the time.

This ReSubdivision application is also proposing that property owner Nancy Varca convey a 50-foot fee-owned access strip (50 feet wide and over 400 feet long) to Lot #1 in the new ReSubdivision to provide access to both new lots and frontage to lot #1. This leaves the existing Nancy Varca house and lot (shown as 61 French Road) with only 164.95 feet of frontage, less than the Zoning Requirement making the lot non-conforming. This is not addressed in the application, i.e., no waiver or variance requests or any narrative have been provided by the applicant.

#### **REPORTS RECEIVED**

- Site Plan Checklist - completed
- 07/20/15 email from Town Attorney Richard L. Barger
- 07/24/15 review email from Barbara Kelly, Wetlands Agent - no issues
- 07/27/15 review email from Ray Walker, FM with 7 issues

#### **WAITING FOR RESPONSES FROM:**

- DPW
- EHHD Public Health
- Town Engineer
- Certified Mail Receipts to Abutters

### **ADDITIONAL INFORMATION RECEIVED**

- Correcting Quit Claim Deed Vol 86 Pg 1076-77
- Warranty Deed Vol 164 Pg 612-616
- Abutters List within 500 feet & map
- Wetlands Permit 2015-5 effective 5/26/15, expiration date 5/25/20
- ReSubdivision Plans & Survey dated 3/18/15, revised through 6/4/15
- 07/21/15 Engineering Review Fee Estimation - \$700
- 07/20/15 (verbal) Legal Review Fee Estimation - \$500

### **STAFF ANALYSIS**

- Statutory notices have been published, and the applicant has been provided with abutter notices which he has to send out, and post a sign.
- There are still reports missing from Public Health, Engineering and Public Works with regard to the proposal which need to be received and addressed by the applicant.
- The applicant will have to explain how the 2 proposed lots and the resulting Varca lot (with insufficient frontage) meet the Zoning Regulations.
- Subdivision Regulations Section 4 - Open Space - The Commission will have to review whether it wishes a fee in lieu or land to satisfy the Open Space requirement.

### **STAFF RECOMMENDATION**

Currently, the staff has determined that:

- the application is complete;
- there is additional information yet to be received so it is still undetermined whether the application complies with Town Regulations subject to conditions set forth in the staff reports received;
- the use is compatible with other uses in the neighborhood, and is in keeping with the zone in which it is located.

Staff has no formal recommendation at this point due to pending receipt of all information.

-----Original Message-----

From: Kelly, Barbara  
Sent: Friday, July 24, 2015 10:09 AM  
To: Carson, Patrice  
Subject: 63 French Road Subdivision

Hi Patrice,

The Inland Wetlands Commission issued a permit for activities associated with this subdivision. The approval was made based on plans revised 5/13/15. The only differences between that plan and the 6/4/15 revision that accompanied the P&Z application appear to be the inclusion of a table and the adjustment of text blocks.

A scanned copy of inland wetlands permit #2015-5 is attached.

Let me know if you need any more information.

Take care,  
BK  
Barbara Kelly, Agent  
Inland Wetlands Commission

-----Original Message-----

From: BTHcopier@boltonct.org [mailto:BTHcopier@boltonct.org]  
Sent: Tuesday, July 14, 2015 5:57 PM  
To: Kelly, Barbara  
Subject: Scan From Bolton Town Hall Copier

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TASKalfa 5550ci  
[00:c0:ee:86:d0:43]  
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**From:** Walker, Ray  
**Sent:** Monday, July 27, 2015 8:36 PM  
**To:** Carson, Patrice  
**Subject:** WHA Project 61 French Rd

Patrice, I would ask for consideration of the following: that the driveway width be specified, that eng'g data be provided that confirms that the driveway will support fire apparatus, that a sufficient clear area of for example of 3 feet be provided on each side of the driveway, that at least at the driveway split a turnaround capable of allowing the largest Bolton fire apparatus to turn around be provided, that the developer and future owners are aware that the noted 15% grade of the driveway could limit or prevent fire apparatus access, that the developer and/or owner(s) consider installing residential automatic sprinklers in these homes, that the connection of the driveway to French Rd may need adjustment to accommodate the turning needs of fire apparatus. Please note I have discussed this project and these comments with Deputy Fire Chief Peter Morra.

I will be glad to attend any related meetings or to answer any questions.

Thanks, Ray Walker

*Sent from my Verizon Wireless 4G LTE DROID*



Nathan L. Jacobson & Associates, Inc.  
 Nathan L. Jacobson & Associates, P.C. (NY)  
 86 Main Street P.O. Box 337 Chester, Connecticut 06412-0337  
 Tel: (860) 526-9591 Fax: (860) 526-5416  
 www.nlja.com  
 Consulting Civil and Environmental Engineers Since 1972

## MEMORANDUM

TO: Ms. Patrice Carson, AICP

DATE: July 21, 2015

FROM: Joseph M. Dillon, P.E. 

PROJECT No.: 0968-0032

SUBJECT: Anderson Subdivision – 61 French Road  
 Engineering Review Fee Estimation

COPIES: File

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Based on our initial review, we would recommend that the Planning & Zoning Commission budget \$700 for engineering review fees for this project. In estimating this fee we have included time for a site inspection as well as a detailed engineering review of the site layout, site grading, and drainage analysis, preparation of a letter report and a follow-up review of a revised submission including a final letter report.

As you are aware, the total amount of time that may be required to complete the engineering review is difficult to determine with certainty at this time, as the actual effort involved could vary considerably depending on the completeness of the application, compliance with applicable technical standards, the number of follow-up reviews that may be necessary and any meetings that we may be asked to attend. While we can not guarantee that our services will not exceed this recommended budget amount, we believe that it is a reasonable estimate.

Should you have any questions, please do not hesitate to contact me.

Mr. Eric Luntta, Chairman Planning & Zoning Commission  
Town of Bolton  
222 Bolton Center Road  
Bolton, CT 06043

July 27, 2015

Dear Mr. Luntta,

Bill Anderson's proposed 2 lot subdivision at 61 French Road is on the agenda for the 8/12/2015 Planning & Zoning Meeting. The proposed subdivision plan includes a drainage pipe, plunge pool, and trap rock on rip-rapp on Lodi property for excess drainage. We leave the Country on 7/29/15 for a trip and will not return until 8/19/15. We request the Public Hearing for this proposed 2 lot subdivision at 61 French Road be extended to 8/26/15 if a second Planning & Zoning Meeting is being held in August, 2015. If there will not be a second meeting in August, we request the Public Hearing be extended to the September 9, 2015 Planning & Zoning Meeting. (We will be able to attend either of these two later meetings.)

We have the following concerns on the proposed 2 lot subdivision:

- 1) Drainage Report (Storm Water Management Plan) is not available from Andrew Bushnell & Associates as per conversation with Bill Anderson on 7/23.
- 2) Joe Dillon, Town engineer has not seen Drainage Report and thus can't give us his opinion.
- 3) Anderson's letter to abutting landowners will be released 10 days before the 8/12/15 meeting when we are out of the Country.
- 4) We currently have a problem on Lodi property with excess drainage from French Road in heavy rain and this easement request will only add to the problem. Approximately 6-8 years ago water "run off" from French Road increased onto our property. Looks like Town (?) dug a ditch to funnel excess "runoff" from French Road onto our property which is causing erosion. The Blackledge watershed (flows into Salmon watershed) runs through 1800 feet of Lodi property and we are concerned about additional "run off" draining into Blackledge (plus Salmon watershed) and its impact on humans, trees, plants, insects, animals and to the other uses of our property.
- 5) Lodi will not grant drainage easement to Bill Anderson for proposed 2 lot subdivision at 61 French Road.
- 6) Why doesn't Anderson research following drainage options-----

.Keep excess "run off" on West side of French Road and empty into existing drainage just North of 57 French Road. Town would continue managing existing drainage area versus creating additional drainage area that needs to be maintained by Town.

.Install plunge pool, trap rock on rip-rapp on West side of French Road on Bill Anderson's proposed subdivision. Joe Dillon indicates Bill Anderson doesn't have enough property to install this drainage. Bill may be able to solve this problem by purchasing a larger piece of land (more than 50 ft) to the North of Nancy Varca's house for his proposed one driveway, 2 lot subdivision.

RECEIVED

JUL 27 2015

TOWN OF BOLTON

Please let us know if the Public Hearing portion of the proposed 2 lot subdivision at 61 French Road can be extended to 8/26/15 or 9/9/2015? Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Judith Lodi".

Judith Lodi

Hand Delivered 7/27/15  
09

MR. ERIC LUNTA, CHAIRMAN, PLANNING + ZONING  
COMMISSION  
TOWN OF BOLTON  
222 BOLTON CENTER ROAD  
BOLTON, CT 06043

# BUSHNELL ASSOCIATES, LLC

Civil Engineering • Land Surveying

August 3, 2015

To: Joe Dillon PE.  
Town Engineer Bolton CT.

From: Andrew Bushnell PELS.  
Bushnell Associates LLC.

Re: Bond calculations for 2 Lot Subdivision of Property of William Anderson and Nancy Varca  
French Rd. Bolton, CT. Bushnell Associates Job No. 2014-45.

Joe,

I have calculated the estimated costs for the erosion control bond and the public improvement bond required for the above referenced project as follows for your review.

## Erosion Control Bond:

(Note that the items included in this bond are related to the construction of the common driveway and individual driveway sections to each house. Additional erosion control measures will be required for the construction of each individual house. Unit cost prices have been determined by the use of the current published CT. DOT prices and local market rates.)

Item	Unit Cost	Total Cost
Construction Entrance/Tracking Pad	\$500.00 each	\$500.00
750 LF. Silt Fence	\$3.50 LF.	\$2,625.00
220 LF. Hay Bales	\$10.00 LF.	\$2,220.00
35,000 SQ. FT. Loam Mulch and Seed Disturbed Areas	\$0.45 SQ. FT.	<u>\$15,750.00</u>
Total Estimated Bond Amount:		\$21,075.00

## Public Improvement Bond:

(Installation of Storm Drainage System along French Rd.)

Item	Unit Cost	Total Cost
180 LF. 15" HDPE Pipe	\$68.20 LF.	\$12,276.00
2- Catch Basins	\$3,000.00 Each	\$6,000.00
1 – 15" Culvert Outlet	\$720.00 Each	\$720.00
2 – Catch Basin Sediment Control	\$126.00 Each	\$252.00
60 SY. Bituminous Pavement Patching	\$90.00 SY.	<u>\$5,400.00</u>
Total Estimated Bond Amount:		\$24,648.00

Should you have any questions or require any additional information please feel free to contact me.

RECEIVED

AUG - 5 2015

TOWN OF BOLTON  
LAND USE DEPT.



Andrew Bushnell PELS.

563 Woodbridge St Manchester, CT 06042  
860 -643-7875

August 11, 2015

**TO: BOLTON PLANNING AND ZONING COMMISSION**

**REPORT ON ZONING REFERRAL Z-2015-62: Proposed zone regulation change to Section 6A.10 regarding the keeping of livestock and poultry.**

**COMMISSIONERS:** Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

**COMMENT:** The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 8/12/2015.

**DISTRIBUTION:** Planner: Andover, Glastonbury, Hebron, Manchester, Vernon, Coventry

Respectfully submitted,  
Sandra Bobowski, Chairman  
Regional Planning Commission

Karl Robert Profe, Vice Chairman  
Regional Planning Commission



Lynne Pike DiSanto, AICP  
Senior Planner and Policy Analyst

SUMMARY OF ZONING, SUBDIVISION AND POCD REFERRALS  
 RECEIVED 7/2/2015 through 7/9/2015

CAPITOL REGION COUNCIL OF GOVERNMENTS  
 241 Main St. Hartford CT 06106

CRCOG REF. #	TOWN/CITY	DATE SENT	MAILING	ABUTTING TOWNS	DESCRIPTION	NEXT SCHEDULED RPC MEETING	PUBLIC HEARING DATE	DATE DUE	SENT BY CERTIFIED MAIL OR E-MAIL?
								FOR CERTIFIED OR E-	
Z-2015-61	Bloomfield	7/7/2015		Avon, East Granby, Hartford, Simsbury, West Hartford, Windsor	Proposed zone regulation change to allow non-municipal public schools in residential zones and allow school buildings of up to 65 feet in height if the school site is 30 acres or more and the building is setback from the street at least 100 feet.	9/17/2015	To be determined: 8/27/15 or 9/24/15		email
Z-2015-62	Bolton	7/7/2015	7/13/2015	Andover, Glastonbury, Hebron, Manchester, Vernon, Coventry	Proposed zone regulation change to Section 6A.10 regarding the keeping of livestock and poultry.	9/17/2015	8/12/15		email
Z-2015-63	Stafford	7/8/2015	7/12/2015	Ellington, Somers, Willington, Union, Northeastern COG	Proposed zone regulation amendment to provide for solar energy systems (Section 5.60). Small systems will be permitted as accessory uses by right in all zoning districts. Large systems (100kW AC or larger) will be allowed in Business and Industrial Zones by Special Use Permit.	9/17/2015	8/11/15		email

# ZONING REFERRAL FORM



<b>FOR: NOTIFICATION OF REFERRALS BY ZONING COMMISSIONS</b> Please fill in, save a copy for your records and send with appropriate attachments by certified mail or electronically to: <a href="mailto:zoningref@crcog.org">zoningref@crcog.org</a>		
<b>FROM:</b> <input type="checkbox"/> Zoning Commission <input checked="" type="checkbox"/> Planning and Zoning Commission <input type="checkbox"/> City or Town Council (acting as Zoning Commission)	Municipality: Bolton	
<b>TO:</b> Capitol Region Council of Governments Policy Development & Planning Department 241 Main Street Hartford, CT 06106	Date of Referral: 07/06/15	
Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed zoning amendment is referred to the Capitol Region Council of Governments for comment:		
NATURE OF PROPOSED CHANGE:		
<input type="checkbox"/> Adoption of amendment of ZONING MAP for any area within 500 feet of another Capitol Region Municipality. Attach map showing proposed change.	<input checked="" type="checkbox"/> Adoption or amendment of ZONING REGULATIONS applying to any zone within 500 feet of another Capitol Region Municipality. Attach copy of proposed change in regulations.	
THE CHANGE WAS REQUESTED BY: <input checked="" type="checkbox"/> Municipal Agency: PZC <input type="checkbox"/> Petition		
DATE PUBLIC HEARING IS SCHEDULED FOR: 8/12/15		
MATERIAL SUBMITTED HEREWITH:		
<input checked="" type="checkbox"/> Regulation Changes	<input type="checkbox"/> Map of Change	<input type="checkbox"/> Supporting Statements
<input checked="" type="checkbox"/> Public Notice	<input checked="" type="checkbox"/> Other (Specify): <b>Application for Regulation Amendment</b>	
HAS THIS REFERRAL BEEN SUBMITTED PREVIOUSLY TO CRCOG? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO. IF YES, ON WHAT DATE:		
<b>(FOR USE BY CRCOG)</b>	Name: Patrice L. Carson, AICP	
Date Received:	Title: <b>Consulting Dir Of Community Development</b>	
Sent certified/e-mail?	Address: <b>222 Bolton Center Road</b>	
Date E-mail receipt sent	Bolton, CT 06043	
File Number		

BY LAW, THE PLANNING COMMISSION SHALL GIVE WRITTEN NOTICE OF ITS PROPOSAL TO THE REGIONAL PLANNING AGENCY NOT LATER THAN THIRTY DAYS BEFORE THE PUBLIC HEARING TO BE HELD IN RELATION TO THE SUBJECT SUBDIVISION. NOTICE SHALL BE MADE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR BY EMAIL TO [zoningref@crcog.org](mailto:zoningref@crcog.org).

CRCOG-2015

Andover / Avon / Berlin / Bloomfield / Bolton / Canton / Columbia / Coventry / East Granby / East Hartford / East Windsor / Ellington / Enfield / Farmington / Glastonbury / Granby / Hartford / Hebron / Manchester / Marlborough / Mansfield / New Britain / Newington / Plainville / Rocky Hill / Simsbury / Somers / South Windsor / Southington / Stafford / Suffield / Tolland / Vernon / West Hartford / Wethersfield / Willington / Windsor / Windsor Locks

A voluntary Council of Governments formed to initiate and implement regional programs of benefit to the towns and the region

Bolton Planning & Zoning Commission  
Notice of Public Hearing

The Bolton Planning & Zoning Commission will hold a Public Hearing on Wednesday, August 12, 2015 at 7:45pm in the Bolton Town Hall Meeting Room, 222 Bolton Center Road, Bolton, on the following applications:

1. William Anderson/Nancy Varca's 2-lot resubdivision appl. at 61 French Rd.
2. PZC appl. to amend Zoning Regulations Section 6A.10 Keeping of Livestock or Poultry.

Said proposal is on file in the Bolton Land Use Office or on the website at [www.boltonct.org](http://www.boltonct.org). All interested parties may attend and testify or may submit written testimony.

Dated at Bolton, CT, this 11<sup>th</sup> day of June, 2015.

Eric Luntta  
P&Z Chairman

To be published in the *Hartford Courant* on July 31, 2015 and August 7, 2015

Proposed Amendments to the Bolton Zoning Regulations  
Amending Section 6A.10 regarding Keeping of Livestock or Poultry  
**FOR PUBLIC HEARING**

***Current Regulation:***

- 6A.10 Keeping of livestock or poultry for domestic purposes only. A Site Plan Review shall be required if more than three (3) head of livestock and/or more than twenty (20) head of poultry are proposed for keeping simultaneously. In addition:
- a. The lot or parcel upon which one livestock or 20 head of poultry are kept or pastured shall have a minimum area of two (2) acres;
  - b. After the first head of livestock the lot or parcel shall contain one (1) additional acre for each livestock or 20 head of poultry kept or pastured;
  - c. If any livestock or poultry are kept on the premises, an appropriate building shall be provided for the keeping of such livestock or poultry. Such building shall include an attached or adjacent enclosure, either a pit or structure, visually screened from adjacent properties, to which all cleanings shall be confined;
  - d. All areas, buildings and structures for the keeping, housing and pasturing of livestock or poultry shall be located a minimum distance of one hundred twenty-five (125) feet from any street line, forty (40) feet from any side or rear property line and, in addition, one hundred (100) feet from any existing dwelling located on an adjacent property;
    - d. Housing and keeping of animals shall be within the minimum recommended standards of the State of Connecticut Departments of Agriculture and Public Health. Animals shall be housed in permanent buildings and shall be provided with fencing and sanitation for their security and welfare. They shall be so kept as to not create a hazard or nuisance.

***Proposed Amendments (Replace current regulation 6A.10 above with the following):***

- 6A.10A Keeping of livestock or poultry, except as permitted by Section 6A.10B below, shall be subject to the following requirements:
- a. The lot or parcel upon which one (1) head of livestock or up to ten (10) head of poultry are kept or pastured shall have a minimum area of two (2) acres;
  - b. After the first head of livestock or ten (10) head of poultry the lot or parcel shall have at least one (1) additional acre for each additional livestock or each additional ten (10) head of poultry (or a pro rata proportion of one acre for fewer than ten additional head of poultry) kept or pastured;
  - c. An appropriate building shall be provided for the keeping of such livestock or poultry under Section 6A.10A. Such building shall include an attached or adjacent enclosure, either a pit or structure, visually screened from adjacent properties, to which all cleanings shall be confined;
  - d. All areas, buildings and structures for the keeping, housing and pasturing of livestock or poultry under Section 6A.10A shall be located a minimum distance of one hundred twenty-five (125) feet from any street line, forty (40) feet from any side or rear property line,

twenty-five (25) feet from any existing well and, in addition, one hundred (100) feet from any existing dwelling located on an adjacent property.

- e. A Site Plan Review shall be required if more than three (3) head of livestock and/or more than twenty (20) head of poultry are proposed for keeping simultaneously.

6A.10B Chickens: No more than six (6) hens may be kept on any property located in residence zoning districts as an accessory use as of right to a residential use. Such accessory use shall require a Zoning Certificate of Compliance and shall also meet the following requirements:

- a. No rooster shall be kept on the property.
- b. An appropriate building shall be required and shall include an attached or adjacent enclosure, visually screened from adjacent properties, to which all hens and cleanings shall be confined.
- c. All areas, buildings and structures for the keeping, housing and pasturing of hens under Section 6A.10B shall be located in the rear of the property and shall meet the required yard setbacks and shall be twenty-five (25) feet from any existing well.

6A.10C Under Sections 6A.10A and 6A.10B all housing and keeping of animals shall be within the minimum recommended standards of the State of Connecticut Departments of Agriculture and Public Health. Animals shall be housed in permanent buildings and shall be provided with fencing and sanitation for their security and welfare. They shall be so kept as to not create a hazard or nuisance.

Date Paid: \_\_\_\_\_  
CASH / Check #: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_



# Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

## BOLTON PLANNING AND ZONING COMMISSION

### APPLICATION FOR AMENDMENT TO ZONING REGULATIONS OR CHANGE OF ZONE

1. Type of Application:

Amendment to Zoning Regulations  Change of Zone

2. Applicant(s) Bolton PZC

Address 222 Bolton Center Road, Bolton, CT Zip 06043

Phone # 860.649.8066 Fax # 860.643.0021 E-mail \_\_\_\_\_

3. Owner(s) of subject property (if Change of Zone; append list if necessary) N/A

Address \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ E-mail \_\_\_\_\_

4. Official Contact / Representative regarding this Application: Eric M. Luntta, PZC Chairman

Address (same as above) Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ E-mail \_\_\_\_\_

5. Location of Subject Property / Properties (if Change of Zone; append extra sheet if necessary):

Street Address(es): N/A

Bolton Assessor's Map # \_\_\_\_\_; Block # \_\_\_\_\_; Lot # \_\_\_\_\_.

Bolton Land Records: Vol. \_\_\_\_\_; Page: \_\_\_\_\_

6. Current Zoning District (if Change of Zone): N/A

7. Proposed Zoning District (if Change of Zone): N/A

8. Describe Amendment to Zoning Regulations or Change of Zone; provide reason for amendment; demonstrate consistency with Bolton Plan of Conservation & Development (attach additional sheets if necessary): \_\_\_\_\_

Amendments to the Bolton Zoning Regulations Section 6A.10 Keeping of Livestock or Poultry

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9. Application Requirements:

a.  Amendment to Zoning Regulations

i.  Application Fee: \$ N/A Six (6) copies of Amendment language with additions / deletions in the context of the existing Regulations

b.  Change of Zone

i.  Application Fee: \$ \_\_\_\_\_

ii.  Written evidence of Applicant's legal interest in the subject property (ies) (deed, purchase agreement, etc.)

iii.  List of property owners located within 500 feet of property(ies) to be rezoned, as listed in the most current Bolton Assessor's Records

iv.  Stamped mailing envelopes addressed to owners of property located within 500 feet of property(ies) to be rezoned, as listed in the most current Bolton Assessor's Records (the applicant is responsible for the cost of certified mailings)

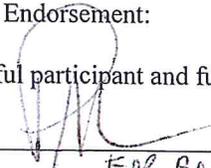
v. Six (6) sets of a Class "D" or higher boundary survey of the subject property(ies), prepared by a CT Licensed Surveyor depicting the proposed Change of Zone at a scale not smaller than 1"=100', and depicting properties, names of property owners, and road ROWs within 500 feet.

vi. A list of all hazardous, or potentially hazardous, materials anticipated as part of the proposed use of the property.

vii. A written statement of intended use of the property

10. Applicant's Endorsement:

I am a willful participant and fully familiar with the contents of this application.

Signature  Date 07.01.15  
FOR BOLTON PZC

11. Owner's Endorsement (for change of zone, only, and if separate from Applicant:

I am a willful participant and fully familiar with the contents of this application.

Signature N/A Date \_\_\_\_\_

**BOLTON PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**7:30 PM, Wednesday, June 10, 2015**  
**Bolton Town Hall, 222 Bolton Center Road**

**RECEIVED**  
**JUN 23 2015**  
Town Clerk of Bolton

**Minutes & Motions**

**Members Present:** Chairman Eric Luntta, Carl Preuss, Adam Teller, Nancy Silverstein (alternate seated for Arlene Fiano), Christopher Davey (alternate seated for Thomas Manning), Neal Kerr (alternate seated for Jeffrey Scala), Thomas Manning (by phone)

**Members Excused:** Arlene Fiano, James Cropley, Thomas Manning, Jeffrey Scala

**Staff Present:** Patrice Carson, AICP, Director of Community Development, Jim Rupert, Zoning Enforcement Officer, Sarah Benitez, Recording Secretary

**Others Present:** Ted Moran, Milton Hathaway, Kim Briggs, Len Jacobs, William Anderson, Mary Terhune, Richard Treat

**1. Call to Order:** Chairman Eric Luntta called the meeting to order at 7:31 p.m.

**2. Vote on Minutes:**

**May 13, 2015** – A. Teller MOVED to APPROVE with the following amendments: The removal of “Kerr” in item #1, the correction of “Linwood” to “Llynwood” in item #3, and the replacement of “hearing” with “information session” in item #7. C. Davey SECONDED. MOTION CARRIED 6:0:0.

**May 27, 2015** – A. Teller MOVED to APPROVE with the following amendments: In the first sentence under Public Comments, “They were answered” will be replaced with “G. Chalder answered.” E. Luntta SECONDED. MOTION CARRIED unanimously.

**3. Residents’ Forum:** No comments.

**4. Report of the Zoning Enforcement Officer:** J. Rupert reported that the new restaurant “Our Place” opened. The process went very well and the results of the final inspection were 100% complete. The foreclosed homes in the Llynwood area were found to be maintained to an acceptable, though minimal, standard. One did have some debris, which will be addressed after contact with the BOS. Contact has been unsuccessful regarding 17 Plymouth and a notice of violation has been issued. Simoniz had some plot line changes in plans. The Planning & Zoning filing project is complete, resulting in a searchable online database. Permits have been issued for the barn at 4 Tolland Road to move forward. The Hop River Road property purchase will need lot line changes and may pursue an addition.

**5. Old Business:**

A. Teller MOVED to advance item #6(a-d) to follow #4. C. Davey SECONDED. MOTION CARRIED 6:0:0.

a. **DISCUSSION: Regulations for the Keeping of Poultry:**

P. Carson distributed copies of the draft regulation 6A.10 with corrections. Discussion followed on language regarding poultry and livestock. It was decided that all references to “seven (7) head of poultry” will be changed to “ten (10) head of poultry”, and that “...and streets” will be removed from 6A.10C.

A. Teller MOVED to schedule the proposed amendments to B regulation 6A – Livestock and Poultry for public hearing on August 12, 2015 at 7:45 p.m. as Hearing #2 at Town Hall, 222 Bolton Center Road. E. Luntta SECONDED. MOTION CARRIED unanimously.

b. **DISCUSSION: Other Zoning Regulation Questions / Discrepancies: None.**

6. **New Business:**

a. **APPLICATION: Zoning Regulation Amendments to allow Drive-thru Regulations on a case-by-case basis, Ted & Joyce Moran**

Milton Hathaway spoke in representation of Ted & Joyce Moran, 199 Hop River Road. He gave a general summary of their aim, to consider other towns’ approach to guide new regulation. Several members of the PZC noted a lack of information on the application, such as the specific regulation section to be changed, and which business zones would be affected. They explained that, if accepted, the exact language of the application was what would be proposed for public hearing. M. Hathaway and the represented wished to withdraw their application without prejudice and seek the input of staff for re-submittal.

A. Teller MOVED to accept the withdrawal and credit the application fee towards the application intended. N. Silverstein SECONDED. MOTION CARRIED unanimously.

b. **APPLICATION: Modification of Special Permit and Site Plan for Expansion of Building (21,928 sf), 201 Boston Turnpike / 11 Williams road, Simoniz USA, Inc.**

Len Jacobs spoke in representation of Simoniz, requesting the approval of an addition onto the current building to improve operations. He voiced appreciation for the help of staff regarding the application and requested a public hearing for the next meeting.

A. Teller MOVED to ACCEPT the application and schedule a public hearing for Wednesday, July 8, at 7:45 p.m. at Town Hall, 222 Bolton Center Road. E. Luntta SECONDED. MOTION CARRIED 6:0:0.

c. **Re-SUBDIVISION APPLICATION: 1-Lot, 61 French Road, William Anderson / Nancy Varca**

A. Teller removed himself from the commission.

Mr. Anderson approved the correction of “1 lot” to “2 lots” on the original application with his initials. He proposed the August 12 meeting for a public hearing date.

E. Luntta MOVED to ACCEPT the application and set a public hearing for August 12 at 7:45 p.m. at Town Hall, 222 Bolton Center Road. C. Preuss SECONDED. MOTION CARRIED 5:0:0.

A. Teller rejoined the commission.

**d. BOND RELEASE: E & S Bond Work Completed, 180 West Street, Parreira**

A. Teller MOVED to release E & S Control Bond for Our Place Restaurant, 180 West Street. N. Kerr SECONDED. MOTION CARRIED unanimously.

7. **Plan of Conservation and Development Discussion:** P. Carson distributed copies of the POCD draft. She received only two comments after the informational session.
8. **Correspondence:** None.
9. **Adjournment:** A. Teller moved to adjourn. C. Davey seconded. The meeting adjourned at 9:14 p.m.

Respectfully submitted,



Sarah Benitez, Recording Secretary

PLEASE SEE MINUTES OF SUBSEQUENT MINUTES FOR APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.

**BOLTON PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**7:30 PM, Wednesday, July 8, 2015**  
**Bolton Town Hall, 222 Bolton Center Road**

**RECEIVED**  
**JUL 16 2015**

**Minutes & Motions**

Town Clerk of Bolton

**Members Present:** Jeffrey Scala, Carl Preuss, Arlene Fiano, Neal Kerr (alternate seated for James Cropley), and Christopher Davey (alternate seated for Eric Luntta)

**Members Excused:** Chairman Eric Luntta, Thomas Manning, Adam Teller, James Cropley, and Nancy Silverstein (alternate)

**Staff Present:** Patrice Carson, AICP, Director of Community Development, Jim Rupert, Zoning Enforcement Officer, Sarah Benitez, Recording Secretary

**Others Present:** Mark Kershaw, Len Jacobs, Samuel Sargeant, Robert Dahn, Ozzie Torres, Fire Marshal Ray Walker, Fire Chief Bruce Dixon, John Dureiko, Isabel Hooper, Tom Hooper, and others

1. **Call to Order:** Vice Chairman Jeffrey Scala called the meeting to order at 7:30 p.m. Quorum was noted.
2. **PUBLIC HEARINGS**
  - a. **APPLICATION:** Modification of Special Permit and Site Plan for Expansion of Building (21,928 sf), 201 Boston Turnpike/11 Williams Road/15 Williams Road, Simoniz USA, Inc.

The Public Hearing began at 7:45 p.m.

Len Jacobs, legal representative of Simoniz, gave an overview of the application. The addition's purpose is to improve efficiency with a redesigned layout. There will be no increase in employees or traffic. There is no expected impact on public health, safety, or environment. All recommendations by the Fire Department have and will be followed. They have met with other town staff such as P. Carson and J. Rupert and been responsive to comments.

Simoniz Engineer Ozzie Torres said the addition will be built onto an existing building. There will be no added roads to or from Williams Road. There will be an emergency access requested by the Fire Department, not to be used otherwise. Architect S. Sargeant said the addition is intended to blend in. It will be in the middle of the lot, set into the ground 7 feet below ground level, obstructed from view from the road by existing buildings, and match the architecture of existing buildings.

PZC and Town Staff Questions and Comments:

ZEO J. Rupert commented that the proposed lot line changes would meet zoning requirements for frontage, making it a conforming lot. P. Carson said the Town Engineer was satisfied and the site received approval from Public Health. There are no concerns from the Wetlands Commission.

C. Preuss asked how much larger the basins for water runoff would be. O. Torres said it would be about 33%, following state recommendation for a safety factor of 2 rather than the previous 1. J. Scala asked if there would be any exterior lighting additions outside the buildings. O. Torres said there would be no changes, only lights on dock doors as per regulation.

Residents' comments:

Tom Hooper, 26 Williams Road, said he has always seen that the company has had the interest of the town in mind and a positive view of Bolton. He noted that there were no buildings proposed for 11 and 15 Williams and the company did not cause traffic issues.

John Dureiko, 10 Bolton Center Road, said that Simoniz has run a very clean operation and has been a good neighbor. He supported the application.

Peter Benedick, 27 Williams Road, spoke as someone who also works near Simoniz (at Comcast). He said the area was always clean and he thought the company was good for Bolton.

C. Preuss MOVED to close the public hearing. A. Fiano SECONDED. MOTION CARRIED 5:0:0. The hearing ended at 8:30 p.m.

**3. Approval of Minutes:**

**June 10, 2015 Regular Meeting Minutes** – These minutes were tabled as only two members present attended the meeting and quorum was not met.

**June 24, 2015 Special Meeting Minutes** – C. Preuss MOVED to APPROVE the minutes as written. C. Davey SECONDED. MOTION CARRIED 4:0:1, with A. Fiano abstaining.

**4. Residents' Forum:** No comments.

**5. Report of the Zoning Enforcement Officer:** J. Rupert reported that he had processed several permits including new homes, pools, sheds, and additions. The Llynwood property complaint has been resolved and the Plymouth property owner is working towards a resolution as well.

**6. Old Business**

a. **DISCUSSION/POSSIBLE DECISION:** Modification of Special Permit and Site Plan for Expansion of Building (21,928 sf), 201 Boston Turnpike/11 Williams Road/15 Williams Road, Simoniz USA, Inc.

J. Scala MOVED to APPROVE the application of Simoniz USA, Inc. (VP#PL-15-5) for a modification of Special Permit and Site Plan for a 21,928 square foot expansion of the building at 201 Boston Turnpike/11 Williams Road/15 Williams Road including the exhibits which were added to the record during the public hearing and based on the finding that plans are in compliance with the Zoning Regulations with the following conditions:

1. A fee of \$2,500.00 for engineering review and inspections for the project must be filed prior to any permits being issued for the project.
2. A fee of \$1,000.00 for legal review for the project must be filed prior to any permits being issued for the project.
3. Screening in accordance with Section 16 of the Zoning Regulations should be shown on the plans along Williams Road and along the lot line/Zone line between 11 and 15 Williams Road.
4. The emergency fire access plan submitted as a concept is acceptable to the Fire Marshal. Final details, i.e., final width of opening onto Williams Road, location of gate posts, and proposed surface, shall be approved by the Fire Marshal and Fire Chief prior to construction.
5. A complete set of revised plans and drainage calculations for the approved project shall be submitted prior to the issuance of any permits.
6. This approval is subject to compliance with any comments or requirements of the Health District, Town Engineer, and Fire Marshal.
7. All appropriate seals and signatures of the design professionals for this plan and drainage computations shall be on the plans.
8. The Commission waives the Design Guidelines due to the siting of the building, keeping with the existing architectural style and limited visibility from adjacent roads.

C. Preuss SECONDED the motion. MOTION CARRIED 5:0:0.

7. **New Business:** None.
8. **Plan of Conservation and Development:** P. Carson has read through most of the document and sent typos and pictures of Bolton, England to Glen Chalder. Discussion will continue at the next meeting.
9. **Correspondence:** None.
10. **Adjournment:** A. Fiano MOVED to adjourn. C. Preuss SECONDED. The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Sarah Benitez, Recording Secretary

PLEASE SEE MINUTES OF SUBSEQUENT MEETINGS FOR APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.

RECEIVED

JUL 30 2015

Town Clerk of Bolton

**BOLTON PLANNING & ZONING COMMISSION  
SPECIAL MEETING  
7:00 PM, Wednesday, July 22, 2015  
Bolton Town Hall, 222 Bolton Center Road**

**Minutes & Motions**

**Members Present:** Chairman Eric Luntta, Jeffrey Scala, Arlene Fiano, Adam Teller, Nancy Silverstein (alternate seated for Carl Preuss), Christopher Davey (alternate seated for James Cropley)

**Members Excused:** Carl Preuss, Thomas Manning, James Cropley, Neal Kerr

**Staff Present:** Glen Chalder, Planimetrics, Patrice Carson, AICP, Director of Community Development, Sarah Benitez, Recording Secretary

**Others Present:**

**1. Call to Order:** Chairman E. Luntta called the meeting to order at 7:12 pm.

**2. DISCUSSION: Continued Review of First Draft of the Plan of Conservation and Development**

The PZC reviewed the POCD draft page by page. They corrected typos, made minor changes to phrasing, and discussed leading and partner groups for action items. Additional points included:

- Assessment data sources will be footnoted and data will be double-checked (page 35).
- Presentation of case studies on Routes 6 and 44 will be restructured for clarity (53-54).
- The Bolton Crossroads case study will be revised for structure and phrasing (57).

**3. Adjournment:** A. Teller moved to adjourn, seconded by N. Silverstein. The meeting was adjourned at 9:04 pm.

Respectfully submitted,

Sarah Benitez, Recording Secretary

PLEASE SEE MINUTES OF SUBSEQUENT MEETINGS FOR APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.

RECEIVED

MAY 28 2015

pd 540/15  
ck# 1645 - \$350.00  
cash - 35.00  
\$385.00



OFFICE OF BOLTON  
POLICE DEPT.

# Town of Bolton

PL-15-3

222 BOLTON CENTER ROAD • BOLTON, CT 06043

## BOLTON PLANNING AND ZONING COMMISSION

### APPLICATION FOR AMENDMENT TO ZONING REGULATIONS OR CHANGE OF ZONE

1. Type of Application:

Amendment to Zoning Regulations

Change of Zone

2. Applicant(s) Ted & Joyce Moran

Address 199 Hop River Rd., Bolton, CT Zip 06043

Phone # (207) 538-8127 Fax # \_\_\_\_\_ E-mail joycemoran@snet.net

3. Owner(s) of subject property (if Change of Zone; append list if necessary) (same as above)

Ted & Joyce Moran

Address 199 Hop River Rd., Bolton, CT Zip 06043

Phone # (207) 538-8127 Fax # \_\_\_\_\_ E-mail joycemoran@snet.net

4. Official Contact / Representative regarding this Application: Ted Moran

Address 199 Hop River Rd., Bolton CT Zip 06043

Phone # (207) 538-8127 Fax # \_\_\_\_\_ E-mail joycemoran@snet.net

5. Location of Subject Property / Properties (if Change of Zone; append extra sheet if necessary):

Street Address(es): 199 Hop River Rd., Bolton, CT 06043

Bolton Assessor's Map # 08/1004; Block # \_\_\_\_\_; Lot # \_\_\_\_\_.

Bolton Land Records: Vol. 57; Page: 360

6. Current Zoning District (if Change of Zone): n/a - but zoned for multi-use (Commercial Industrial & Residential)

7. Proposed Zoning District (if Change of Zone): n/a

8. Describe Amendment to Zoning Regulations or Change of Zone; provide reason for amendment; demonstrate consistency with Bolton Plan of Conservation & Development (attach additional sheets if necessary): \_\_\_\_\_

request for town to change drive-thru regulation to be considered on a case-by-case basis, as is in our neighboring towns. - language provided (attached)

9. Application Requirements:

a.  Amendment to Zoning Regulations

i.  Application Fee: \$ 350

ii.  Six (6) copies of Amendment language with additions / deletions in the context of the existing Regulations

b.  Change of Zone

i.  Application Fee: \$ \_\_\_\_\_

ii.  Written evidence of Applicant's legal interest in the subject property (ies) (deed, purchase agreement, etc.)

iii.  List of property owners located within 500 feet of property(ies) to be rezoned, as listed in the most current Bolton Assessor's Records

iv.  Stamped mailing envelopes addressed to owners of property located within 500 feet of property(ies) to be rezoned, as listed in the most current Bolton Assessor's Records (the applicant is responsible for the cost of certified mailings)

v. Six (6) sets of a Class "D" or higher boundary survey of the subject property(ies), prepared by a CT Licensed Surveyor depicting the proposed Change of Zone at a scale not smaller than 1"=100', and depicting properties, names of property owners, and road ROWs within 500 feet.

vi. A list of all hazardous, or potentially hazardous, materials anticipated as part of the proposed use of the property.

vii. A written statement of intended use of the property

10. Applicant's Endorsement:

I am a willful participant and fully familiar with the contents of this application.

Signature Herodore Moran Date 5-15-15

11. Owner's Endorsement (for change of zone, only, and if separate from Applicant: n/a)

I am a willful participant and fully familiar with the contents of this application.

Signature Herodore Moran Date 5-15-15

Joyce C. Moran



## Description of Proposed Amendment to Zoning Regulations

Ted & Joyce Moran, owners of 199 Hop River Road, Bolton CT, propose that the Zoning Regulations as stated in 3B4.b be changed to potentially allow drive-thru service as an accessory use to restaurants in the business zone (not gateway zone), stated to be considered on a case-by-case basis and 9B.2.b #3 to allow take-out dining for approved drive-thru restaurants in the business zone (not gateway zone). Proposed changes to Bolton's Site Design Guidelines as stated in 4.2.9 would change #1 to state that the Bolton Zoning Regulations do allow for drive-thrus in the business zones on a case-by-case basis and change #2 to state that The Bolton Zoning Regulations state that one-lane drive-thrus are allowed for banks, pharmacies and only restaurants approved on a case by case basis. All other Site Design Guidelines would remain unchanged. Drive-through restaurants will still be subject to all regulations as currently stated for fast food restaurants in 3B4.e, architectural plans as stated in 16A.2.h, and access and circulations as stated in 16A.3.f.

*Current wording of 3B4.b:* "Drive-thru service as an accessory use to a restaurant is prohibited."

*Proposed wording of 3B4.b:* "Drive-thru service as an accessory to a restaurant is permitted in the business zone (not gateway zone) if approved as part of a Special Permit / Site Plan Review, whereas the Commission determines that said proposed facility meets all other zoning standards and regulations for one drive-thru or canopy per principal free-standing building facility, located completely behind the plane of the rear wall of the principal building; the architectural design, materials, and details of the facility are compatible and similar to the architectural design, materials and details of the principal building; and, the vehicular circulations and stacking areas required for said facility do not pose a danger to pedestrian safety or to the general parking and circulation needs of the principal building."

*Current Wording of 9B.2.b#3: "Take out dining - non-drive thru"*

*Proposed wording of 9B.2.b#3: "Take-out dining - drive-thru permitted only in business zone (non-gateway zone)"*

*Current wording of 4.2.9 #1: "The Bolton Zoning Regulations do not allow drive-thrus for restaurants"*

*Proposed wording of 4.2.9 #1: "The Bolton Zoning Regulations only permit drive-thrus in the business zone (non-gateway) in accordance with 3B4.b"*

*Current wording of 4.2.9 #2: "The Bolton Zoning Regulations state that one-lane drive-thrus are allowed for banks and pharmacies"*

*Proposed wording of 4.2.9 #2: "The Bolton Zoning Regulations state that one-lane drive-thrus are allowed for banks, pharmacies, and individually approved restaurants. "*

Also attached are examples of Hebron's Zoning Regulations exact wording for drive-thru restaurants relative to our proposal, as consider drive-thrus only on a case by case basis.

copy of town of Hebron's Drive Thru Regulation  
Verbiage: suggest similar verbiage for Town of  
Bolton!

The following is in Section 8.16 of the Zoning Regulations:

"One drive-through or canopy per principal building may be permitted by the Commission as an accessory use to a principal use, approved as part of a Special Permit / Site Plan Review, when the Commission determines that said facility meets the following standards: any free-standing facility shall be located completely behind the plane of the rear wall of the principal building; any attached facility shall be located no closer to the front wall of the principal building than a dimension equal to  $\frac{1}{2}$  the building depth; the architectural design, materials and details of the facility are compatible and similar to the architectural design, materials and details of the principal building; and, the vehicular circulation and stacking areas required for said facility do not pose a danger to pedestrian safety or to the general parking and circulation needs of the principal building."

Michael K. O'Leary, AICP  
Director of Planning and Development  
Town of Hebron  
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860.228.5980 (FAX)  
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