

Bolton Zoning Board of Appeals
Regular Meeting Minutes
March 8, 2022 7:00 p.m.
Bolton Town Hall, 222 Bolton Center Road
Hybrid Meeting-In person and virtual via Zoom

Members Present: Chairman Mark Altermatt, Anne Decker (attending virtually via Zoom), Jonathan Treat and Morris Silverstein and Alternates William Anderson, Joshua Machnik (seated for William Pike) and Mary Terhune (attending virtually via Zoom)

Staff Present: None

Regular Meeting

1. Call to Order: Chairman M. Altermatt called the meeting to order at 7:03 p.m.

2. Public Comment: No public comment

Public Hearing

3. CONTINUATION OF PUBLIC HEARING - Application #Z-21-79 Britney Mahomes of Ambassador Pools, on behalf of homeowner Tonya LaPlante – 11 Enrico Rd. – variance request to install above-ground pool with integrated deck and fence

Tonya LaPlante was present virtually via Zoom. No one was present from Ambassador Pools. Ms. LaPlante thought that a representative of Ambassador Pools would be attending this meeting and would be speaking on her behalf.

M. Altermatt noted that if the ZBA acts on this tonight and denies her application, she would not be able to bring another application before the board for another six months. Alternately, she could withdraw her application if she is not prepared to present her case. Ms. LaPlante did not feel that she could appropriately explain why a variance should be granted. The pool company was responsible for the permitting and Ms. LaPlante was not aware of the terms of the permit other than being aware of the constraints of her property. She is very disappointed that the pool company is not representing her and acting on her behalf.

At this point in the meeting, M. Altermatt suggested that Ms. LaPlante try to contact the pool company. She was unsuccessful in contacting anyone. Other than knowing the unique configuration of her property and the placement of her septic system, she doesn't feel that she has any information to contribute.

M. Altermatt noted that if she withdraws her application, the Zoning Enforcement Officer would be within his rights to have her remove the pool or she can submit another application. The other option would be to plead her case for the granting of the variance.

J. Treat felt that the applicant would be well advised to secure legal advice in this matter.

Ms. LaPlante briefly left the meeting to confer with her husband. M. Altermatt presented the two options to Mr. LaPlante-go forward with the application or withdraw and resubmit the application. If they decide to proceed with the hearing, it will be at their own risk.

Both Mr. and Mrs. LaPlante felt that it would be best to withdraw their application at this time. This will be treated as a withdrawal by any and all parties including the pool company.

M. Silverstein said that they should be aware that as long as the pool remains in place, they are facing potential problems if action isn't taken within a reasonable amount of time. M. Altermatt also made it clear that time is of the essence in resolving this matter.

Other Business

4. Approval of Minutes: February 8, 2022

M. Silverstein made a motion to accept the minutes as presented. J. Machnik seconded. The motion passed unanimously 5:0:0.

5. Correspondence: None

6. Other

M. Altermatt noted that the Connecticut General Assembly passed a statute during the current session that requires members of Planning and Zoning Commissions and Zoning Board of Appeals to complete at least four hours of continuing education every two years. This goes into effect in January, 2023. The ZBA may coordinate the training with the Planning and Zoning Commission.

7. Adjournment

M. Silverstein made a motion to adjourn at 7:34 p.m. J. Machnik seconded. The motion passed unanimously 5:0:0.

Respectfully submitted,

Leslie J. Brand

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