

BOLTON PLANNING & ZONING COMMISSION
Regular Meeting
7:30PM, Wednesday, June 13, 2018
Bolton Town Hall, 222 Bolton Center Road
Minutes & Motions

Members Present: Chairman Adam Teller, Arlene Fiano, Rodney Fournier (alternate), Marilee Manning (alternate), Thomas Manning (alternate), Thomas Robbins

Members Excused: James Copley, Neal Kerr, Benjamin Davies, Christopher Davey

Staff Present: Patrice Carson, AICP, Director of Community Development, Yvonne Filip, Recording Secretary. Jim Rupert (arrived at 7:36)

1. Call to Order:

Chairman A. Teller called the meeting to order at 7:31 p.m.

T. Manning was seated for J. Copley; M. Manning was seated for N. Kerr; R. Fournier was seated for C. Davey until his arrival.

A. Teller received consensus from the Members to move item 6a to top of agenda.

After hearing item 6a the Chairman received consensus to move to item 3 - Residents' Forum.

2. Approval of Minutes:

Corrections:

Approval of Minutes - change to Vote 4-0-3 (Davies, Kerr, Robbins abstained) Approved

A. Fiano moved to approve the minutes of the May 9, 2018, regular meeting, as corrected. **M. Manning seconded.** Vote 5-0-1 (Fournier abstained) Approved

3. Residents' Forum:

None

4. Staff Reports:

P. Carson stated the PZC should have received email notification of a combined board meeting to be held next week at 7:00 p.m. at the Town Hall. Please let K. McCavanagh know if you cannot attend.

J. Rupert reported that several administration zoning approvals for pools, decks, propane tanks, and accessory structures. The 65 Shoddy Mill Road enforcement issue has been referred to the Town Attorney. There is positive movement on the Stony Road dumping - the owner intends to have the debris cleaned up by the end of June.

5. Old Business:

a. Discussion: Site Plan Application to Remodel/Update Fuel Station/Convenience Store, 1136 Boston Turnpike (Valero Station), Boston Turnpike Enterprises, LLC (#PL-18-2)

P. Carson stated that the signs were posted four days ahead of the meeting per the standard of when there is not a public hearing. The completed checklist for site plan review and special permit applications were provided to the PZC. A new set of plans were received this afternoon; these were distributed to the Members. Staff has made a cursory review and noted a few items that still need to be addressed. These are detailed in the emails between P. Carson, J. Dillon, and J. Rupert dated June 13, 2018, which were provided to the PZC. The fencing has been corrected at the site per the screening requirement.

P. Carson advised the Commission to review the architectural plan as there are some design changes. The elevation plan was reviewed. The footprint is increase slightly on one corner. The PZC did not feel the style differs greatly and it is an improvement on the building.

The Inland Wetland Agency must make a decision on the Site Plan before the PZC can act. This is a State requirement. The applicant, Salem Mehar, asked if the PZC can provide approval with conditions that all Staff requirements be satisfied. A. Teller reiterated that a decision from IWA must be rendered first.

This item will be on the July meeting agenda.

A. Teller asked for and received consensus from the Members to move item 5b to the bottom of the agenda, as time permits, before Staff must leave.

b. General Discussion/Review of Possible Amendments to the Zoning Regulations (time permitting)

c. Other

None

6. New Business

a. Request from Bolton Land Trust for Letter of Support to acquire Land Owned by 89 Church Street Realty

Tony Gorman, 22 West Street - representing the Bolton Land Trust and is seeking a letter of support from the PZC for a 50/50 grant to purchase 68 acres on Brandy Street that abuts the Lombardi Preserve. The property will also fit into the long term plan to connect open space to Heritage Farm. The organization that will award the grant money wants to see whole-hearted community support for the purchase. The Land Trust has already received letters in support from the Conservation Commission, the Inland Wetlands Agency, and the Board of Selectman.

Carson provided the Members with a copy of the property card and an open space map that outlines the piece in red. This is an appropriate piece of land to be added to the open space in town as explained by Tony. The open space goal is 20%. Although it will be removed from the tax record, it will provide community space. The property is not buildable. No cost from the Town.

Sandra Pierog, First Selectman, stated it is a priority piece along the Rochambeau Route. S. Pierog stated that this property adds \$268 to the tax rolls; the assessment is slightly higher than \$6,000, therefore, removing the property from the tax rolls is not significant.

T. Manning moved to support sending the letter as submitted in support of the Land Trust's grant application. **A. Fiano seconded.** Vote 6-0-0 Approved

b. Discussion/Possible Decision: Request for Minor Modification of Approved Special Permit for Dentist's Office at 1100 Boston Turnpike (Rosenlicht Property), Bolton Cosmetic & Family Dentistry, Modification of Approved Berm (#PL-17-3)

J. Rupert, ZEO, was unclear if he should address the change as a minor modification. From a technical perspective J. Rupert along with town staff is capable of managing the issue. The concern is because this permit went to a public hearing with neighbors and Commission members speaking out during regarding the berm and drainage during the hearing. The contractor is concerned that creating a swale on the uphill side as approved could damage tree roots that create the vegetative buffer to the neighbor to the West. Also, they were concerned about the maintenance of the swale that could have water backing up behind their properties. However, currently the water moves away and downhill from the abutting properties.

A. Teller was contacted for his opinion, but felt the Commission should provide direction. The applicant has asked to shift to berm to the East and modify the end based on the actual field conditions. The berm shift would move it one to two feet easterly from the current design. The berm is on the West side of the propter and runs north to south. The berm would remain at the proposed height and trees would be planted at the top of the berm. The Inland Wetlands Agent feels she can approve this as a minor modification; she feels this is a favorable change. J. Rupert has heard from one of the neighbors about this change; that person was representing a couple of the abutting properties. The property owner has not been heard from.

A.Teller stated that the PZC has confidence that this minor modification is within his discretionary ability. When the abutting property owners and the owner of this property are heard from, the decision can be made. If there is a strong objection, the matter should be sent back to the PZC. The applicants impatience in having the matter decided upon is no reason to lower Staff's standards.

c. Other

T. Manning attended the Regional Disaster Planning meeting; Maryellen Kowelski is retiring.

A. Teller noted that a Charter Study Committee is being convened. There are seven people on the committee, including A. Teller. This is not a Charter Revision Committee. The last Charter Review group found that a charter revision was not necessary; their recommendation was to clean up some language.

7. Correspondence

None

P. Carson stated that if the Members are reviewing the zoning regulations and find possible amendments to please send them to Staff.

8. Adjournment:

A. Fiano moved o adjourn the meeting at 8:16 p.m. **R. Fournier seconded.** Vote 6-0-0
Approved

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, Planning & Zoning Commission Recording Secretary

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