

BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, WEDNESDAY, FEBRUARY 8, 2023
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD
In-Person and Via Zoom

MOTIONS

PZC Members Present: Chairman Tom Manning (in-person), Arlene Fiano (in-person), Thomas Robbins (in-person), Vice-Chair James Cropley (via Zoom), Jeffrey Scala (via Zoom), Jeremy Flick (via Zoom), Rodney Fournier (in-person), Tom Crockett (Alternate) (via Zoom), Kawan Gordon (Alternate) (via Zoom) and Steven Clark (Alternate) (via Zoom)

Staff Present: Patrice Carson, AICP, Consulting Director of Community Development (in-person), Michael D'Amato, Interim Zoning Enforcement Officer (via Zoom) and Linda H. McDonald, Recording Secretary (via Zoom)

Others Present: Peter DeMallie, Design Professionals (in-person), Terri Christians (via Zoom), Alison Fracchia (via Zoom), Thomas Danieluk (via Zoom), Sara Trueax (via Zoom at 8:05 p.m.), Eric Luntta (in-person), William Anderson (in-person), Bernice Dixon (via Zoom at 8:42 p.m.), Trevor Forbes (in-person), Jerry Fossey (in-person), James Waskey (in-person), Pamela McIntyre (in-person), Daniel McIntyre (in-person), Jim Pendergrast (in-person), Judi Lodi (in-person), Andrew Ladyga (in-person)

1. Call to Order: Chairman T. Manning called the meeting to order at 7:30 p.m.

2. Approval of Minutes:

J. Cropley MOVED to APPROVE the regular meeting minutes of January 11, 2023 as presented. J. Scala SECONDED. By roll call vote, the MOTION CARRIED 7:0:0.

3. Residents' Forum

4. Staff Reports

5. Public Hearings -

Public Hearing: Peter DeMallie's application to modify a Special Permit to allow part-time use for religious assembly & as-needed prep of humanitarian packages/emergency relief items at 180 West St (Highland Meeting Room) (#PL-23-1)

A. Fiano MOVED to close the public hearing for Peter DeMallie's application to modify a Special Permit to allow part-time use for religious assembly & as-needed prep of humanitarian packages/emergency relief items at 180 West St (Highland Meeting Room) (#PL-23-1). T. Robbins SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

Public Hearings: Amend the Zoning Regulations (#PL-22-6) re: cannabis to either: a. allow only retail sales of cannabis products only in the GB Zone by Special Permit, or b. prohibit any cannabis

establishment, or c. extend the current moratorium to continue to further evaluate public input and consider amendments to draft regulations.

T. Manning MOVED to continue the three public hearings to Amend the Zoning Regulations (#PL-22-6) re: cannabis to

1. allow only retail sales of cannabis products only in the GB Zone by Special Permit, or
2. prohibit any cannabis establishment, or
3. extend the current moratorium to continue to further evaluate public input and consider amendments to draft regulations

to March 8, 2023, 7:30 p.m., Bolton Town Hall, 222 Bolton Center Road in-person and virtual. J. Flick SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

6. Old Business:

6.a Application: Modification of Special Permit to allow Part-time Use for Religious Assembly and As-Needed Preparation of Humanitarian Packages/Emergency Relief Items, 180 West Street (Highland Meeting Room), Peter DeMallie, Design Professionals, Inc. (#PL-23-1)

T. Manning MOVED to approve Peter DeMallie's application for modification of a Special Permit to allow part-time use for religious assembly and as-needed preparation of humanitarian packages/emergency relief items at 180 West Street, application #PL-23-1, in accordance with the application and information submitted which is conditioned on the following:

1. The applicant shall apply for a Food Service Establishment Plan Review Application.
2. The applicant shall obtain and maintain all necessary Food Service Licenses.
3. This approval is subject to compliance with any comments or requirements of the State Department of Public Health, Eastern Highlands Health District, Fire Marshal, the Town Engineer, and Inland Wetlands Commission.
4. Distribution from the property directly to consumers is prohibited.
5. Signs are not part of this decision. Any proposed signage will need separate permit application(s) and approvals from the Zoning Enforcement Officer.
6. By acceptance of this approval and its conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

The Planning and Zoning Commission finds with these conditions the plan meets the requirements of the Bolton Zoning Regulations.

T. Robbins SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

6.b Amend the Zoning Regulations (#PL-22-6) re: cannabis to either: a. allow only retail sales of cannabis products only in the GB Zone by Special Permit, or b. prohibit any cannabis establishment, or c. extend the current moratorium to continue to further evaluate public input and consider amendments to draft regulations.

6.c Other

7. New Business

7.a Discussion/Possible Decision on Bond Release Request: Site Improvement bond for Alltown Fresh, 129 Boston Turnpike, Global Montello Group Corp (#PL-21-7):

T. Manning MOVED to release the Global Montello Group Corp. Site Improvement Bond in the amount of \$300,000.00 for completed site improvements at 129 Boston Turnpike (#PL-21-7) as requested by Global Partners, LP on January 16, 2023 and as reviewed and approved by Town Engineer Joseph Dillon on January 17, 2023. A. Fiano SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

7.b Discussion/ Decision: Request for extension of time to file plans with the Town Clerk under Zoning Regulations Section 16B.5.B: Special Permit Application for Bed & Breakfast, 60 Villa Louisa Road (A Villa Louisa), Asim Etem (#PL-22-7):

T. Manning MOVED to grant a 90-day extension of time from February 8, 2023 to May 9, 2023 to file plans with the Town Clerk's office as allowed by and in accordance with Section **16B.5.b. Endorsement and Filing** of the Bolton Zoning Regulations for all approvals granted under Permit #PL-22-7 for Asim Etem, which application and plans were approved by the Planning and Zoning Commission on November 9, 2022. T. Robbins SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

8. Correspondence

8.a Request for letter of support for parking area at Nathan Hale Corridor/Greenway

T. Manning MOVED that Consulting Director of Community Development formulate the letter of support for parking area at Nathan Hale Corridor/Greenway and send to the appropriate people. J. Cropley SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

8.b Request from the BOS to act on an 8-24 referral for the property located at 130 Hop River Road:

T. Manning MOVED that, in accordance with Section 8-24 Municipal Improvements of the Connecticut General Statutes, the Bolton Planning and Zoning Commission has reviewed the request by the Town Administrator on behalf of the Board of Selectmen for improvements to 130 Hop River Road to make a parking area for a trail head for the Nathan Hale Greenway. The project is consistent with the POCD, and the Planning and Zoning Commission recommends acceptance of the same to the Board of Selectmen. J. Cropley SECONDED. By roll call vote, MOTION CARRIED 7:0:0.

8.c Request to schedule presentation on DesegregateCT's Work Ride Live Ride at future meeting:

9. Adjournment: J. Scala MOVED to adjourn the meeting at 9:05 p.m. MOTION CARRIED 7:0:0.

Respectfully submitted by Linda H. McDonald

Linda H. McDonald