

PLANNING BOARD MINUTES

Wednesday, July 19, 2023, at 7:00 p.m.

Remote Public Meeting

Members Present: Michael Gorr (Chair), James Barr (Vice Chair), Bob Roemer, Austen Groener, Michael Lau

Also Present: Todd Miller (Town Planner)

ADMINISTRATIVE

Town Planner Report

The Town Planner reports to the Board that he is leaving the position.

PUBLIC HEARINGS

1st Item: Special Permit Hearing – Michael Spengler, of United Cultivation of 601 Fitchburg State Rd., Ashby MA 01431 - Applicant seeks a Special Permit for the operation of a Retail Marijuana Establishment. The proposed location for this use is located in Bolton's Commercial Zoning District on **476 Main St.**, identified on Assessor's Map 4D as Parcel #61.

The application and plans are available for review on the Town's website at <https://www.townofbolton.com/planning-board/pages/current-projects>

Michael Spengler gives the Board an update on the plans. Greg Roy has also joined the meeting to discuss the plans. Daniel LaCivita shares the updated traffic plan per the Boards request, especially the lights being shown on the site plan and traffic flow. The Board suggests an additional traffic study in six (6) months to see how it measures.

Jim Barr asks the applicant about their hours, he states after speaking with the town they will be Monday thru Saturday 10-9, and Sunday 12-6.

Michael Lau asks about possible signage to alert people to additional parking on the side and rear of the building. Michael Gorr asks about the signage for the business. The applicant states they have not presented anything yet, however they will add signage to the store front. They applicant is also aware that the process is through the Select Board and Building Inspector.

Michael Gorr asks the Board if anyone has additional question, none at this time. He also asks for comments from the public and no one speaks to the Board.

Todd Miller states the Board will vote on the waiver requests one at a time and they would be added to the decision, there are 7 in total.

1. Section 3.1 – Provide storm water management report

2. Section 4.1.4.15 – Photometric plan
3. Section 4.1.4.16 – Landscape & lighting, sedimentation control and building elevation plans
4. Section 4.7.36 - Sedimentation control
5. Section 4.8 – Structure detail, landscape detail, parking
6. Section 4.9 - Landscaping plan
7. Section 4.10 - Building elevation plan

The reason for the waivers is that this is an existing building.

Michael Gorr asks board about any concerns, no one on the Board has concerns.

Bob Romer makes motion to grant the 7 waivers as listed in the special permit application by the Chair, Austen Groener seconds the motion. Motion passes with 4 members voting yes.

Michael Gorr makes motion to close the hearing Special Permit Hearing – Michael Spengler, of United Cultivation for a Special Permit for the operation of a Retail Marijuana Establishment 476 Main Street, Austen Groener seconds the motion. Michael Gorr, yes; Bob Romer, yes; Austen Groener, yes; Michael Lau, yes. Motion passes.

Michael Gorr makes motion to approve Special Permit application from Michael Spengler, of United Cultivation for the operation of a Retail Marijuana Establishment at 476 Main Street, Austen Groener seconds the motion. Michael Gorr, yes; Bob Romer, yes; Austen Groener, yes; Michael Lau, yes. Motion passes.

2nd Item: Continued **Definitive Subdivision Plan - Farmland and Open Space Planned Residential Development (FOSPRD), Daniel Motha of Miami FL - Special Permit for property identified on Bolton's Assessor's Map 2.C as Parcel 23** located on South Bolton Road in Bolton's Residential Zoning District.

The proposed development consists of a six (6) lot subdivision. Application materials & plans are available at: <https://www.townofbolton.com/planning-board/pages/current-projects>

Daniel Motha joins the meeting to discuss the updates.

Michael Gorr states that Nitsch sent back their comments on the peer review and the applicant has sent to their engineer. They did not feel the comments were difficult to address and can be taken care of. The comments from Nitsch are discussed and shown for the Board to see. No design plans have been suggested, upon further review it appears there are 2 minor changes. The applicant states that the approval of the permit is needed by August 3, 2023 and are asking for provisional approval, with conditions.

Without quorum present of eligible voting members, Board discusses having an additional meeting the following week on Wednesday July 26, 2023.

Michael Gorr makes motion to continue the hearing until July 26, 2023, Jim Barr seconds motion. Michael Gorr, yes; Jim Barr, yes; Bob Romer, yes; Austen Groener, yes; Michael Lau, yes. Motion passes.

DISCUSSION ITEMS

Century Mill Estates – Updates

Michael Gorr states they have received the DPW report on what needs to be addressed. He asks Andrew Bendetson if he has any comments on the report. He indicates the driveways were complete at the time the homes were built. Michael Gorr states the list DPW has provided is the work that needs to be done in order for the road to be accepted by the Town. What the Board is proposing is getting a cost estimate to complete the road then they can bring this as an article to Town Meeting to accept the road once that has been completed. Andrew Bendetson will submit the payment for the engineer to do the work by Monday July 24, 2023.

Michael Gorr speaks to the drainage and public water supply, the DPW needs to have all of the information. He also asks about easements and if they are required, Andrew Bendetson will have that for the DPW as well. Another item is the overgrowth of the detention and drainage ponds and these should be handled by an operations management plan.

Michael Gorr opens the discussion to residents who may be on the call. Kai Chuang speaks and states he reviewed the report as well. Chris Valenti and Jon Balewicz residents of Century Mill Estates also speak to the report.

OTHER BUSINESS

Michael Gorr discusses the transition of Planning business with the Town Planner leaving.

Minutes Acceptance:

3/22

4/5

4/19

5/10

Michael Gorr makes motion to accept the minutes for the dates above, Jim Barr seconded, motion passes unanimously.

ADJOURN

Michael Gorr makes motion to adjourn the meeting, Jim Barr seconded, motion passes unanimously.