

Approved via Zoom
by JK, RL, SW
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Board of Selectmen
May 20th 2021
Via Zoom*

Jonathan Keep, Chair
Robert Czekanski
Stanley Wysocki
Don Lowe, Town Administrator
Jenny Jacobsen, Town Secretary

Ms. Jacobsen called the meeting to order at 7:00 p.m. and sought nominations for Chair.

REORGANIZATION OF THE BOARD

On a motion made by Wysocki and seconded by Czekanski the Board voted unanimously to nominate Jonathan Keep as Chair. (Czekanski-yes, Keep-yes, Wysocki-yes)

Mr. Keep thanked the Board for the nomination and asked for a nomination for Clerk.

On a motion made by Czekanski and seconded by Keep the Board voted unanimously to nominate Stanley Wysocki as the Clerk. (Czekanski-yes, Keep-yes, Wysocki-yes)

APPOINTMENT TO PUBLIC WAYS SAFETY COMMITTEE

Holly Lauer of the Public Ways Safety Committee appeared before the Board. Ms. Lauer on behalf of the Public Ways Safety Committee thanked Leslie Breeze for her tenure on the Public Ways Safety. Ms. Lauer requested the appointment of Stephen McKeown and Shandy Carpenter to the Public Ways Safety Committee.

Mr. Keep thanked Ms. Breeze for her work. Mr. McKeown was in attendance and looks forward to being involved.

On a motion made by Czekanski and seconded by Wysocki the Board voted unanimously to appoint Stephen McKeown and Shandy Carpenter to the Public Ways Committee. (Czekanski-yes, Keep-yes, Wysocki-yes)

REQUEST FOR WAIVER

Ms. Bicchieri of Manor Road is seeking a waiver to dimensional regulations for a sign to be placed advertising her home occupation counseling business. The Board reviewed the request as submitted. Mr. Keep recused himself from the discussion. Mr. Wysocki will Chair the meeting for the purpose of the agenda item.

Ms. Bicchieri was not in attendance as the meeting was running ahead of schedule.

TOWN ADMINISTRATOR REPORT

Covid Update

Bolton is in the grey category. Only 2 communities in the state remain in the red category. The 7-day rolling average for the state is the lowest since September at 1.03%. 70% of Bolton has received at least one vaccination and 54% of Bolton is fully vaccinated.

Town Hall will be reopening on June 1st. There will be a sign in sheet for contact tracing.

The plexiglass will remain in place. Governor has not announced plans on Zoom meetings for public board and committee meetings. Massachusetts Municipal Association is petitioning to the governor to extend the allowance to hold remote public meetings.

REQUEST FOR WAIVER continued

Ms. Bicchieri was in attendance and declared that there was a misunderstanding related to the approval she received from the Select Board on May 6th. Ms. Bicchieri ordered the sign to be made. The Town Planner did not approve the permit application based on the sign's failure to meet the bylaws for dimensions for a sign in a residential zone. Mr. Wysocki explained that the approval was contingent upon receiving a building permit through the building department. Ms. Bicchieri explained that she went through the process as she understood it and the sign was made without the information on the size. Ms. Bicchieri stated that while she aimed to be discreet, her business would require a sign larger than a mailbox to be visible. Mr. Wysocki reported that based on his conversation with building inspector Michael Sauvageau, Mr. Sauvageau had no recollection of the discussion of a sign with Ms. Bicchieri. Ms. Bicchieri reiterated that she had a conversation with Mr. Sauvageau in April and was directed to respect the offset of 20 feet from the road but was not instructed to the bylaw for dimensional requirements.

Mr. Czekanski commented that the Select Board is following the bylaws as decided by the residents of Bolton. Mr. Czekanski reminded Ms. Bicchieri that based on the discussion on May 6th it was clearly stated that the Selectmen's approval was only the first step in the process to obtain a sign permit. Ms. Bicchieri asked the Board for a waiver on the size of the sign for a home occupation business for the reason of financial hardship.

On a motion made by Wysocki and seconded by Czekanski the Board voted by roll call 2-0 to deny the waiver by Joan Bicchieri for a waiver for her sign that if she wishes to continue putting a sign up on her property that it conform with the bylaws for a home occupied business. (Czekanski-yes, Wysocki-yes)

SIGN REQUEST AND REQUEST FOR WAIVER

The Board reviewed the request as submitted. Mr. Wysocki commented that he is an abutter to an abutter but did not recuse himself. Amy Clark, the owner of Essex Equine located at 96 Hudson Road, appeared before the Board. Essex Equine put up a sign unaware of the requirement of a permit and were informed by the building inspector that they would need to have a permit and the approval of the Board of Selectmen to have the sign on the property. They were also notified that they were outside of the size restrictions for a sign in a residential zone. Ms. Clark stated that a smaller sign would not be beneficial to the business or the road safety. Mr. Wysocki commented that the density of Route 85 is not as tightly packed and had no issue with the sign as the nature of the business is more commercial. Mr. Czekanski commented on the color of the sign noting that it is smaller than a commercial sign and set well back from the road.

Mr. Keep commented that we should do a better job of publicizing our sign bylaw and felt it is important that we are applying the sign bylaw equally. Mr. Keep stated an inclination to not grant the waiver based on the previous decision of the Board. Mr. Keep asked for a motion.

Mr. Wysocki asked that a fine be levied for work without a permit per the fee schedule.

On a motion made by Wysocki and seconded by Czekanski the Board voted by roll call 2-1 to grant a waiver to Essex Equine for the sign erected at the entrance to their property at 96 Hudson Road but to recommend the building inspector levy a fee for double the permit fee. (Czekanski-yes, Keep-no, Wysocki-yes)

Ms. Bicchieri voiced her displeasure with the inequity of the two decisions made by the board related to sign waivers.

REVIEW OF TOWN MEETING

The Board recognized the success of the Annual Town Meeting thanking Bolton Access Television and all of the Town employees and volunteers that worked on the preparations for the successful evening. Town Clerk Pamela Powell agreed adding that the Advisory Committee presentation was very clear. Mr. Lowe added thanks to the Nashoba Regional High School custodial staff.

Town Moderator Doug Storey thanked everyone for their coordination of the event. Mr. Storey announced that the Town will be considering electronic voting devices as well as a possible implementation at the next Town Meeting. The devices would be paid for with CaresAct funding. A presentation to the Board of Selectmen will be forthcoming.

Advisory Chair Brian Boyle commented that only 3% of registered voters showed up at the meeting. The Advisory Committee has a goal to make themselves accessible to inform and educate the community. Ms. Powell voiced support of the effort 100%. Mr. Boyle invited the public to an "Ask Me Anything" session on May 25th, 2021 at 7pm.

580 MAIN STREET, WOOD PARTNERS

Jim Lambert of Wood Partners was present and updated the Board on progress made since the May 6th Select Board meeting including the Community Meeting which was held on May 11th attended by about 30 people and available on Bolton Access Television for viewing. Mr. Lambert offered to answer any questions. Mr. Lambert requested the Board's support of the application to the Department of Housing & Community Development (DHCD) and to sign a letter of support that would go along with the application. Mr. Wysocki commented that Wood Partners have made good faith efforts to adjust the development plan to meet some of the Board's initial comments. Mr. Lowe

reported that he met with Wood Partners and the Fire Chief to discuss the plans and no new issues have been raised and the fire Chief was comfortable with his department's ability to fight a fire based on the current plans. Mr. Lambert gave a broad overview of the issues raised in the Community meeting. Wood Partners committed to holding a second Community Meeting prior to filing the plan with the Zoning Board of Appeals to address many of the issues raised and update the community.

On a motion made by Wysocki and seconded by Czekanski the Board voted by roll call 3-0 to support the application of the Local Initiative Program LIP 40B proposal for 580 Main Street for Wood Partners and to sign the letter of support for the project. (Czekanski-yes, Keep-yes, Wysocki-yes)

SELECT BOARD BUSINESS

Public Service Announcement

Mr. Czekanski recognized the retirement of Captain David Farrell after his long career with the Fire Department.

Bills/Payroll Warrants

On a motion made by Wysocki and seconded by Czekanski the Board voted by roll call 3-0 to approve the bills/payroll warrants W21-24 & W21-24A . (Czekanski-yes, Keep-yes, Wysocki-yes)

Girl Scout Gold Award

The Board commended two local girl scouts, Katherine Ickes and Colleen Henderson on their achievement in earning the Gold Award from the Girl Scouts.

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call 3-0 to sign the commendation letters to Ms. Ickes and Ms. Henderson for their Gold Award projects. (Czekanski-yes, Keep-yes, Wysocki-yes)

Common Victualer License

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call 3-0 to approve the common victualer license for The International Beverage Company for 2021. (Czekanski-yes, Keep-yes, Wysocki-yes)

Kelly Cardoza was in attendance representing The International Beverage Company to request expediency in signing the license as the entity would like to open on May 21st. The Board agreed to sign the license in the morning.

Minutes

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call 3-0 to approve the regular session minutes from April 15th, 2021. (Czekanski-yes, Keep-yes, Wysocki-yes)

On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call 3-0 to adjourn at 8:29 pm. (Czekanski-yes, Keep-yes, Wysocki-yes)

Respectfully submitted by Jenny Jacobsen

**All attendees participated remotely via Zoom Remote Conferencing pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c. 30A Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place.*