

## **PLANNING BOARD MINUTES**

**Wednesday, June 22, 2022, at 7:00 p.m.**

### **Remote Public Meeting**

**Members Present:** Peter Driscoll (Chair), Mark Sprague (Vice Chair), Michael Gorr, Erik Neyland, James Barr, Bob Roemer (Associate)

**Also Present:** Valerie Oorthuys (Town Planner)

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public meeting of the Town of Bolton Planning Board was conducted via remote participation. No in-person attendance of members of the public were permitted, but the public can access this meeting while in progress using **Zoom Video Communications, Inc. (Zoom)**. Members of the public attending this meeting virtually were allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by telephone, cell phone or personal computer using Zoom.

Directions to connect to the public meeting were provided on the agenda.

A roll call was conducted of all Planning Board members present: Pete Driscoll (Chair)- Yes  
Mark Sprague - Yes; Erik Neyland- Yes; James Barr-Yes, Bob Roemer (Associate)- Yes.

## **ADMINISTRATION**

### **Design Review Board Appointments**

Mark Sprague moved to appoint Michelle Tuck, Danielle Spicer, and Natalie Gabrielle to the Design Review Board for a one-year term. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

## **PUBLIC HEARINGS**

### **Backland Lot Special Permit and Common Driveway Special Permit, 89-91 South Bolton Road, Map 3.C Parcels 18, 20.1, and 27**

*Continued from February 9, 2022 and May 25, 2022.*

Pete Driscoll stated that the applicant has requested a continuance to the Board's August 10<sup>th</sup> meeting in order to do further engineering work.

Mark Sprague moved to continue the public hearing for the Backland Lot Special Permit and Common Driveway Special Permit at 89-91 South Bolton Road to August 10, 2022 at 7:15pm. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

### **Adoption of Marijuana Establishment Special Permit Rules and Regulations**

Pete Driscoll read the legal notice to open the public hearing.

Valerie Oorthuys provided a brief presentation to describe the intent of the Planning Board's Marijuana Establishment Special Permit Rules and Regulations. Rules and Regulations provide the applicant a process to apply for the Special Permit and set expectations for the contents of a submission and the permitting steps. The Marijuana Establishment Special Permit Rules and Regulations are in alignment with Zoning Bylaw Section 250-23.3 approved through Town Meeting in 2018, which notes the requirements for operation of Marijuana Establishments and for the Planning Board's granting of a Special Permit. The format of these rules and regulations follows the same format as the Board's other approved Rules and Regulations documents. Valerie Oorthuys reviewed the section related to the contents of an application, highlighting that the Board will receive the Applicant's application to the State's Cannabis Control Commission.

No members of the public offered comment.

Mark Sprague moved to close the public hearing. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

Mark Sprague moved to adopt the draft Marijuana Establishment Special Permit Rules and Regulations as written. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

**Preliminary Phase of a Farmland and Open Space Planned Residential Development (FOSPRD), South Bolton Road, Map 2.C Parcel 23**

*Continued from October 27, 2021, November 10, 2021, January 12, 2022, February 9, 2022, March 9, 2022, April 13, 2022, May 25, 2022 and June 8, 2022.*

*Present:*

Jeff Motha, Applicant

The Planning Board reviewed a revised draft of the decision for the Preliminary Phase of the FOSPRD off South Bolton Road.

Jeff Motha noted that if the proposed 50 foot wide Conservation Deed Restriction were to be included as Open Space rather than a restriction over private property, the house lots impacted would be able to conform to property line setback requirements, but only by about a few feet.

Jeff Motha asked for clarification around the Board's preference to have any trees larger than 6" diameter at breast height to be noted on plans. The Board revised this language in the decision to state this as a recommendation rather than a requirement, as this is not currently reflected in the definitive stage of the FOSPRD Rules and Regulations nor the Zoning bylaw. Mark Sprague noted that the Board would be interested in seeing the areas intended to be cleared so that a phased approach can be discussed.

Mark Sprague moved to close the public hearing for the Preliminary Phase of a FOSPRD off South Bolton Road. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes (3/0/0).**

Mark Sprague moved to approve the decision for the Preliminary Phase of a FOSPRD off South Bolton Road as amended. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes (3/0/0).**

## **BUSINESS**

### **Review and Endorsement of Subdivision Approval Not Required (ANR) Plan, 89-91 South Bolton Road, Map 3.C Parcels 18, 20.1, and 27**

Pete Driscoll noted that this item is related to the public hearing and will be discussed again at the Board's meeting of August 10<sup>th</sup>.

### **Review and Endorsement of Subdivision Approval Not Required (ANR) Plan, 305 Old Bay Road, Map 4.B Parcel 21, and 353 Old Bay Road, Map 5.B Parcel 85**

*Present:*

Ken Strom, WDA Design Group, Inc.

Ken Strom provided an overview of the ANR plan, stating that the intent of the plan is a land swap to divide Parcel A from Parcel B in order to combine Parcel A with Lot 3.

Mark Sprague moved to approve the ANR Plan regarding Map 4.B Parcel 21 and Map 5.B Parcel 85. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

### **Discussion and Vote on Recommendations to Select Board: Limited Business District Special Event at The International, LIV Golf Invitational Series**

*Present:*

Kelly Durfee Cardoza, Avalon Consulting Group

Mike Goggin, Par 5 Group

In accordance with Section 250-16.L of the Code of the Town of Bolton, the Planning Board discussed the LIV Golf Invitational Series to be held at The International in order to make recommendations to the Select Board related to the following criteria:

1. Provisions for adequate off-street parking;
2. Provision for adequate wastewater disposal;
3. Provision for traffic control measures for roads leading to the facilities;
4. Provision for adequate refuse disposal;
5. Provision for crowd control and security; and
6. Provision for adequate fire protection.

Kelly Durfee Cardoza provided an overview of the Special Event Application provided.

The Planning Board was in agreement that of the six criteria under discussion, the provision for traffic control measures appears to be the most concerning. The Board recognized that traffic

mitigation discussions are ongoing and plans are still evolving. The Board recommended further review and consideration of traffic circulation through Bolton in addition to impacts on direct abutters along Ballville and Wilder Roads. The Board noted that further portable Variable Message Boards (VMBs) should be considered, notably at the intersection of Wattaquaddock Hill Road and Main Street. In addition, the VMBs should be placed in order to provide advance warning to residents and commuters.

Regarding comments made during the meeting by Bolton residents, the Planning Board would encourage greater communication between the organizers of the Series and direct abutters and residents. Direct abutters present at the Planning Board's meeting noted that the only communication provided thus far included the public meeting notice for the Select Board's June 23<sup>rd</sup> discussion.

The Board agreed that a post-event discussion in order to review the operation of the event and provide feedback to the organizers would be helpful.

#### **Vote to Recommend the Approval of BSC Group's Proposal for Master Plan Consulting Services**

The Board reviewed BSC Group's proposal for consulting services for the Master Plan update. Valerie Oorthuys noted that the Request For Proposals (RFP) evaluation committee and the Master Plan Steering Committee have each voted to recommend approval.

Mark Sprague moved to recommend approval of BSC Group's proposal for Master Plan consulting services. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

#### **Vote to Dissolve the Housing Production Plan Committee**

Valerie Oorthuys noted Bolton's Housing Production Plan was approved by the State in the spring of last year, and the Town Clerk has requested the Committee be dissolved.

Mark Sprague moved to dissolve the Housing Production Plan Committee. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

#### **Discussion of potential Zoning Bylaw articles for Annual Town Meeting**

The Planning Board continued discussions of how to prioritize the following list of potential articles:

- Earth Removal bylaw and associated Special Permit process;
- Erosion Control bylaw and associated Special Permit process;
- Tree Protection bylaw;
- Site Plan Approval Modifications
- Adaptive Reuse Bylaw
- Inclusionary Zoning Bylaw Modifications
- FOSPRD Bylaw: Consideration of density bonus
- Shade Tree/ Scenic Road: Simple modification to note the correct MGL reference

- Driveways/ Driveway permits: Amending language around Driveway Permits to differentiate between construction of a single dwelling unit and subdivision construction
- Parking Regulation Modification to reflect parking maximums
- Revisions to the Sign Bylaw
- Exploration of bylaws to support local agriculture/ small farms, such as decreasing the acreage needed for a farm to supplement income with an accessory business use
- Mixed Use Village Overlay District: Response to ongoing discussions regarding the potential expansion of the MUVOD
- Split Zoned Parcels

In addition, the Board discussed the following amendments to or adoption of the following Rules and Regulations:

- Create an umbrella Special Permit Rules & Regulations document
- Amendments to Subdivision Rules and Regs
- FOSPRD Application Form
  - Need to add owner, map and parcel number, email address
  - Need to more clearly link FOSPRD and Subdivision process
- Scenic Road/Shade Tree Consent
  - Need application form, applicant process

In addition, the Planning Board anticipated preparing for the following road acceptances:

- Century Mill Estates: Old Stone Circle, Cider Circle, portion of Mill Pond Road
- Moderator Way
- Goose Pond Path

Erik Neyland moved to adjourn. 2<sup>nd</sup> by James Barr. **All in favor by roll call: Pete Driscoll- Yes; Mark Sprague- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

Respectfully Submitted,  
Valerie Oorthuys