

**PLANNING BOARD MINUTES**  
**Wednesday October 12, 2022**  
**Remote Public Meeting**

**Members Present:** Peter Driscoll (Chair), Mark Sprague (Vice Chair), James Barr, Michael Gorr, Bob Roemer (Associate)  
**Also Present:** Todd Miller (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; James Barr- Yes, Bob Roemer (Associate)- Yes. Michael Gorr – Yes, Mark Sprague - Yes

**ADMINISTRATION**

**Planner's Report**

Todd shares he reached out Town Counsel regarding the tree hearings that are coming up. The discussion was regarding the stone walls and what fees would be needed.

Todd has also spoken with the Conservation Agent about the green space initiatives.

**Review and release eligible Driveway Sureties (in the amount of \$1,000) below:**

Review and release eligible remaining Driveway Sureties (18 Eligible in total) - Burnham Road, 4C-D; Long Hill Road, 4-E, #33; Vaughn Hill Lot 2, #257; 16 Main St 4D #4; 34 Fox Run Road, 6B #136; 121 Oak Trail

Todd explains that the driveway sureties have accrued over several years and the Town Accountant has reviewed these and the surety bond is able to be released now as these homes have been granted occupancy. The surety amount of \$1,000.00 will be released to the original payee.

Michael Gorr moved to approve release of surety for Burnham Road, 4C-D, 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (4/0/0)**

Michael Gorr moved to approve release of surety for Long Hill Road, 4-E #33, 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (4/0/0)**

Michael Gorr moved to approve release of surety for Vaughn Hill Road Lot 2 #257, 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (4/0/0)**

Michael Gorr moved to approve release of surety for 16 Main Street 4D, #4, #159, 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (4/0/0)**

Michael Gorr moved to approve release of surety for 34 Fox Run Road, 6B #136; 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (4/0/0)**

Michael Gorr moved to approve release of surety for 121 Oak Trail, 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (4/0/0)**

## **PUBLIC HEARINGS**

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.

Jeff Motha has joined the meeting

Jeff Motha states that the engineer is not completely finished with the updates, but has brought the following items to his attention. The first is the conversation with the fire department and DPW. The DPW has requested an island in the cul-de-sac, however the fire chief has asked not to have the island for their emergency vehicles. Pete Driscoll asks him to have the engineer calculate the plan and the amount of pavement with and without the island, as well as show other potential places for snow removal.

Jeff Motha also requests a waiver for the traffic study as this development with only 6 houses. Todd states that this would be discussed further along in the project. Pete Driscoll states the Board likes to look at all the waivers being asked for at the same time. Todd suggests the applicant works with the engineer for the list of potential waivers to present to the Board.

With no further questions, Pete Driscoll states the hearing will be continued to the November 9, 2022.

**Erik Neyland has joined the meeting.**

Michael Gorr moved to continue the public hearing to November 9, 2022 at 8:00pm. 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes Erik Neyland- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (5/0/0)**

Continued: **Backland Lot Special Permit Approval** - Alphaterra Design, LLC of 5 Bridle Path, Shrewsbury – **0 Main St. - Special Permit for property identified on Bolton's Assessor's Map 5.E as Parcel #100.**

The Applicant is seeking a **Backland Lot Special Permit** and **Common Driveway Special Permit** pursuant to Section 250-13 of the Code of the Town of Bolton in the Residential Zoning District for a property located at 0 Main Street, identified on Assessor's Map 5.E as Parcel 100.

Pete Driscoll states the applicant has requested to move this hearing to the 2<sup>nd</sup> meeting in October.

Michael Gorr moved to continue the public hearing to October 26, 2022 at 7:15pm. 2<sup>nd</sup> by Mark Sprague. **All in favor by roll call: Pete Driscoll (Chair)- Yes Erik Neyland- Yes; James Barr- Yes, Mark Sprague – Yes, Michael Gorr – Yes (5/0/0)**

**Review and Act on Draft Decision - Bed & Breakfast Special Permit & Modification of Barn Bylaw Special Permit – Wendy Harrop – 5 Harvard Rd. Bolton MA property identified on Bolton's Assessor's Map 5.C as Parcel #5.0.**

The Applicant is seeking a Bed & Breakfast Special Permit and modification of an existing Barn Bylaw Special Permit for a Bed & Breakfast with agritourism functions and education-related events. A Public Hearing was held and closed on August 10th, 2022.

The Special Permit includes the amendment of an existing Barn Use Permit pursuant to Section 250-21A and 250-23E of the Code of the Town of Bolton in the Residential Zoning District, for a property located at 5 Harvard Rd., identified on Assessor's Map 5.C as Parcel 5.0.

Todd shares the draft decision for the Board to see and goes through the decision for questions or comments.

Pete Driscoll states with no questions, the draft decision can be approved.

Mark Sprague moved to approve the decision for the special permit for 5 Harvard Road and approve. 2<sup>nd</sup> by Michael Gorr. **All in favor by roll call: Pete Driscoll (Chair)- Yes; Erik Neyland- Yes; James Barr- Yes, Mark Sprague – Yes, (4/0/0)**

**Discussion of regulation recommendations**

Todd shares that he has reviewed MGL regarding subdivision control with in the Planning Board and reads the section to the Board.

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

Respectfully Submitted,  
Todd Miller

(KZ)