

Select Board  
December 1, 2022  
Via Zoom Remote Conferencing

Approved by Select Board on January 12, 2023

Stanley Wysocki  
Robert Czekanski  
Not Present: Emily Winner

Don Lowe, Town Administrator  
Jenny Jacobsen, Town Secretary

Mr. Wysocki called the meeting to order at 7:00 p.m. The meeting was recorded.

#### PUBLIC HEARING

Mr. Wysocki asked for a motion to open a hearing pursuant to Chapter 250 Article V §250-7(D) and Article II §250-21 (E) of the Code of Bolton to act on the application received on November 11th, 2022 from Richard Pelletier of NVW, Ltd. The applicant seeks to amend the existing Agricultural/Business Use Special Permit dated September 7th, 1995 recorded in Book 17390 Page 168 in the Worcester Registry of Deeds to allow construction of a 19,200 square feet subterranean storage facility to accommodate winery storage operations, an 800 square feet addition to the winery to accommodate permanent bathrooms and a 300 square feet addition to the pavilion to accommodate permanent bathroom.

**Mr. Czekanski provided the motion. Mr. Wysocki seconded and the motion passed unanimously by roll call 2-0. (Czekanski-yes, Wysocki-yes)**

The petition can be viewed at

[https://www.townofbolton.com/system/files/uploads/100\\_wattaquaddock\\_hill\\_am\\_001.pdf](https://www.townofbolton.com/system/files/uploads/100_wattaquaddock_hill_am_001.pdf)

Mr. Pelletier, owner of Nashoba Valley Winery located at 100 Wattaquaddock Hill Road was present. The building has been reduced to 12,000 due to the cost of construction. 120X80 feet with a stairwell to provide a second means of egress and topped with solar panels to reduce energy costs. The New permanent bathrooms will replace existing bathroom trailers. This would be an ancillary use to the agricultural activities. Nothing will generate income that is not ancillary. Mr. Wysocki noted that if the plans are approved there are other boards and or departments that the applicant would need to seek approval from including the Board of Health and fire department. Mr. Czekanski asked if there were any wetlands issues. Mr. Pelletier stated that there were none. Mr. Wysocki referenced a letter dated November 26<sup>th</sup> from the Cheryl and Dan Breslans of 116 Wattaquaddock Hill Road and asked if Mr. Pelletier had replied to the Breslans. Mr. Pelletier agreed to do so and commented that there will be no blasting, there will be erosion control and water will be handled as it is no directing water to the culvert. He does not anticipate an increase in water use or septic discharge.

Mr. Wysocki opened the hearing up for public comment.

Mr. Paul Slade was in attendance and had a number of questions. The storage facility will be used for aging the product. There will be forklifts used in the building and 16-foot ceiling clearance. Three sides will be buried. A maximum of 2-3 feet will protrude. The easterly-facing side will have an opening and a mandoor and the sides will have wingwalls to allow for a portion of the front to be buried. The single garage door will be about 12X12 feet. Access to the building will be off Berlin Road. Mr. Pelletier noted that they currently send a box truck to Clinton 1/day three times each week. Mr. Slade noted concern about traffic. Mr. Pelletier agreed to use stakes and tape to locate the corners of the building. The expected discharge from the building will be 1,000 gallons/year maximum primarily for cleanup.

Nathaniel Allen of 122 Wattaquaddock Hill Road was in attendance seeking more information about the bathroom additions. Mr. Pelletier commented that as an abutter you will not notice a difference but as a visitor it will be an upgrade from the existing bathrooms. They would be a little larger than what is currently there. It will also add additional handicap facilities.

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to close the public hearing. (Czekanski-yes, Wysocki-yes)**

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to ammend the special use permit dated September 7th, 1995 recorded in Book 17390 Page 168 in the Worcester Registry of Deeds to allow construction of a 12,200 square feet subterranean storage facility to accommodate winery storage operations, an 800 square feet addition to the winery to accommodate permanent bathrooms and a 300 square feet addition to the pavilion to accommodate permanent bathroom. (Czekanski-yes, Wysocki-yes)**

#### PRESENTATION OF OFFICER DON CAULDERON

Chief Nelson was in attendance to present Officer Don Caulderon who was previously appointed as a reserve officer as the Town's newest full-time police officer. Mr. Cauldon has been with the town for four years. He attended the bridge academy. He has received the equivalent of a full-time academy. He lives in Chelmsford. Officer Caulderon was in attendance serving on his first shift in his new permanent position with the Town. The Board welcomed Officer Caulderon.

#### SIGN REQUEST

Conservation Agent Rebecca Bucciglia, formerly Rebecca Longvall was in attendance to request the placement of new signs at trailheads for conservation lands on Goose Pond Path, Rocky Dundee, Coventry Wood and Ballville the Oaks.

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to approve the signs as requested. (Czekanski-yes, Wysocki-yes)**

#### HISTORICAL COMMISSION (HC) UPDATE

The Chair of the Historical Commission Bob Busch was in attendance to present an update to the Board on the work that the commission has been doing and plans for upcoming work. Mr. Busche shared a slide presentation.

Mr. Busch introduced the Commission to the Board paying special tribute to Chairman Emeritus Martha Remington who has put more time and effort into preserving Bolton's history and brings tremendous historical knowledge to the commission in her 22 years of service and 43 years as a resident. The presentation highlighted what the HC does with a primary function of administering the demolition delay bylaw including research, on-site inspection, photography, meetings, and discussions/negotiations with applicants. Mr. Busch spotlighted the 1728 Keyes-Bonazzoli house at Keyes Farm as a recent success and 22 West Berlin Road as a current project.

The Town does not have any Local Historic Districts, but has two National Historic Districts and one in process. The Historical Commission is not the same as the Historical Society in Bolton. A recent initiative was the Old Fire Station during which process the Historical Commission agreed with the DPW that the building was not practically restorable. Mr. Busch noted that the initiative highlighted ways that the HC might work with the DPW on future grants.

Mr. Czekanski asked for detail into the expenditures on the national historic district that is currently in process (East End) and inquired as to why the Select Board was not consulted citing M.G.L. Chapter 40 Section 8D. Mr. Busch explained that they used the same procedure that had previously been done and asked for clarification on the recommendation. Registration as a national historic district is a benefit to the Town. The HC does not impose any restrictions on homeowners in National Historic Districts as they would in a Local Historic District.

Mr. Czekanski went on to note that the HC does not have regulatory authority in the scenic road bylaw over stone walls.

Mr. Wysocki suggested that we look to formalize the inclusion of the Select Board in future National Historic District designation processes and agreed that the HC has overstepped its authority at times. Mr. Wysocki added that he was aware of a family that suffered delays and financial hardship due to a demolition delay.

Mr. Czekanski suggested the HC spend more time focusing on securing grants noting they are far afield from their charge. Mr. Busch noted that it would require collaboration with the Town, specifically the DPW to do so as most grants require matching funds.

Mr. Czekanski then questioned the HC efforts in the demolition bylaw.

Mr. Lowe commented that the experience with the Old Fire Station was a good learning example of how the Town and HC can work together in the future. Mr. Busch agreed.

Ms. Remington pointed out that the Massachusetts Historical Commission does not only look out for manmade structures, but also stone walls, culverts, bridges and edifices that have been there over 100 or several hundred years need to be photographed before they are dismantled or repaired. She asked to be notified by the DPW if repairs are needed so the HC can clear away the brush and document any such structures.

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to authorize the Town Administrator to contact the Massachusetts Historical Society to ask what guardrails they have in place to make sure that things that are submitted have passed the right process at the local level and is there a process to delist historical districts. (Czekanski-yes, Wysocki-yes)**

Mr. Wysocki suggested that the Historical Commission members read the M.G.L. Chapter 40 Section 8D regarding the formation of historical commissions, the process and there can be a subsequent meeting to discuss.

**On a motion made by Wysocki and seconded by Czekanski the Board voted by roll call vote 2-0 that in the future the Select Board be involved in discussions when the Historical Commission is going to declare and entity as historically significant particularly regarding the demolition delay bylaw. (Czekanski-yes, Wysocki-yes)**

#### 170 BARE HILL ROAD

The Board reviewed the Notice of Intent from Mark N. Groudas and Marueen K. Groudas as Trustees of the Groudas Realty Trust to sell 2.044 acre undeveloped parcel of land (northern most portion of Map 7.C\* Parcel 3.0 abutting 170 Bare Hill Road and consideration to exercise right of first refusal.

**On a motion made by Wysocki and seconded by Czekanski the Board voted by roll call vote 2-0 to waive the right of first refusal on the parcel of land. (Czekanski-yes, Wysocki-yes)**

#### TOWN ADMINISTRATOR REPORT

Budget Update-Mr. Lowe reported that the deadline for budget submission has passed and the requests will be forwarded to the Board and Advisory Committee. Mr. Lowe noted that it will be a very difficult budgetary season.

#### SELECT BOARD BUSINESS

Public Service Announcements-None

Future Agenda Items Discussion-None

Appointments-

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to appoint Bob Roemer to the open unexpired term on the Planning Board. (Czekanski-yes, Wysocki-yes)**

Approve Bills/Payroll warrants W23-10 & w23-10A

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to approve the Bills/Payroll warrants W23-10 & w23-10A. (Czekanski-yes, Wysocki-yes)**

Approve Bills/Payroll warrants W23-10 & w23-10A

There were no minutes approved.

Executive Session

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to enter executive session at 8:41 pm pursuant to MGL c. 30A, §21(a)3 to discuss strategy with respect to collective bargaining with The Teamster's Union, Local 170 if an open meeting may have a detrimental effect on the bargaining or litigating position of the Select Board. (Czekanski-yes, Wysocki-yes)**

Board returned from executive session at 9:05 pm.

**On a motion made by Czekanski and seconded by Wysocki the Board voted by roll call vote 2-0 to adjourn. (Czekanski-yes, Wysocki-yes)**

*\*Agenda had a typographical error (Map 3.0 Parcel 3.0). The correct parcel as presented in the packet was Map 7.0 Parcel 3.0.*

*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.*