

TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Meeting Held at the Bolton Town Hall – Board of Selectmen Room on **October 30, 2017** at 7:00 PM

Members Present: Gerard Ahearn (Chairman), Andy Kischitz, Bradley Reed, Jack Sargent, and Kay Stoner

Absent: Bryan Holmes (Associate)

Also Present: Erica Uriarte (Town Planner)

Call to order: 7:00 PM

Hearings

- In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice was hereby given that the Bolton Zoning Board of Appeals held a public hearing on Monday, October 30, 2017 at 7:00 p.m. in the Board of Selectmen Room of the Town Hall, 663 Main Street, Bolton, MA to hear and act upon the application of Bolton Cracker Barrel LLC (Members Stenio and Denise Tallarida). The applicant sought a Special Permit for a property and structure located in Bolton's Residential Zoning District at 716-718 Main Street identified on Assessor's Map 1.0 as Parcel 36. The applicant sought a Special Permit to alter the preexisting nonconforming use from office to retail/office pursuant to Section 250-3C of the Code of the Town of Bolton.
 - Eileen Griffin-Wright of 154 Wattaquodock Hill Road was present at the hearing to represent Stenio and Denise Tallarida.
 - The applicant submitted an alternate parking layout for 718 Main Street to help alleviate the concerns regarding traffic. The revised layout included a second curb cut entrance off of Main Street. This layout would require placing the existing wellhead underground and modifying the entrance to the apartments on the second floor. The parking would flow in a one-way direction either to or from Main Street.
 - The revised parking layout was the outcome of the concerns from the Police Chief and the site visit with the ZBA.
 - Martha Remington of Main Street questioned the offset from the property line to the building. She wondered if there was sufficient space to allow for a new curb cut.
 - Eileen Griffin-Wright indicated there was 15 feet.
 - Hank and Gail Amabile of 698 and 720 Main Street were concerned with adding retail use at 718 Main Street as it abutted their property at 720 Main Street. In the past, vehicles leaving the parking lot at 718 Main Street would cut through to their property and use their driveway to exit onto Main Street. They ended up putting up a barrier to prevent vehicles from continuing to use their driveway. They were concerned that this could happen again with a new curb cut. They also questioned if granting the special permit was pre-mature until the specific retail use was known and the traffic and parking concerns could be addressed.
 - Erica Uriarte questioned if the alternate parking layout was feasible. It appeared that there wasn't sufficient space to create necessary travel lanes for maneuvering and that vehicles would have to continue to back out on to Wattaquodock Hill Road.
 - It was discussed if the applicant could go through site plan review. Having a pre-existing nonconforming use and seeking a special permit from ZBA, the applicant would not be required to go through a site plan review process with Board of Selectmen.
 - Erik Neyland of 163 Bare Hill Road and a member of the Planning Board was in favor of the project and suggested the ZBA condition their permit to allow for specific and appropriate retail uses to alleviate concerns.
 - The ZBA considered the various retail uses presented in the applicant's submission. It appeared the applicant was asking to conduct a country store, gift store, antique store, or similar use.
 - The ZBA asked Erica Uriarte to reach out to Stenio Tallarida to confirm the particular retail uses he was seeking as part of this special permit.

- Bradley Reed motioned to continue hearing for 718 Main Street to November 13, 2017 at 7 p.m. in the Board of Selectmen Room of Town Hall. 2nd by Jack Sargent. All in favor 5/0/0.

Business

- None.

Administrative

- None.

Bradley Reed motioned to adjourn meeting at 8:07 pm. 2nd by Kay Stoner. All in favor 5/0/0.