

Town of Bolton, Massachusetts

Board of Selectmen

663 Main Street
Bolton, Massachusetts 01740
978-779-2297

APPLICATION INFORMATION AND DECISION

PART I. Background Information:

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| Applicant/Petitioner: | Arklow Limited Partnership (The International, Inc.) |
| Address of applicant: | 159 Ballville Road Bolton, MA 01740 |
| Applicant is: | X-Owner <input type="checkbox"/> -Tenant <input type="checkbox"/> -Licensee <input type="checkbox"/> -Prospective Buyer |
| Property address: | 159 Ballville Road Bolton, MA 01740 |
| Deed reference(s): | See plans cited below |
| Owner name: | Arklow Limited Partnership |
| Owner address: | P.O. Box 215 Bolton, MA 01740 |
| Owner telephone number: | 978-779-6911 |
| Application and fee for: | X-Special Permit, \$80 X-Site Plan Review, \$80 |
| Description of activities for which approvals are sought: | Construction of an additional 18-hole golf course on approximately 250 acres surrounding the existing 18-hole course, together with associated facilities; site plan approval is required, while a special permit is required for the accessory uses of restrooms, snack bar, putting green, and driving range, and to hold special events. |
| Plans and revisions submitted as part of application: | "The International," prepared by Seltec Engineering, Inc., Sheet 1 of 3: Existing International Properties, dated 09/13/99; Sheet 2 of 3: Existing Conditions Plan in Bolton, Massachusetts, dated 09/13/99; Sheet 3 of 3: Golf Course Routing Plan #7 (Fazio Golf Course Designers, Inc. and Avalon Consulting), dated September 10, 1999, revised October 27, 1999 |
| Date application certified received by Town Clerk: | September 21, 1999 |
| Date notice of hearing posted at Town Hall: | September 24, 1999 |
| Date of public hearing: | October 21, 1999 |
| Date of decision: | November 4, 1999 |

PART II. Public Hearing Information:

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| Date(s) of public hearing: | October 21, 1999 |
| Applicable section(s) of Zoning Bylaws: | Sections 2.3.8, Limited Recreation Business District, and 2.5.5.6, Site Plan Approval Process |
| Justification for request: | Section 2.3.8 requires a special permit for certain accessory facilities and use proposed by the applicant. Further, Section 2.5.5.6 requires that a site plan be reviewed and approved by the Board of Selectmen. |
| Board of Selectmen members present at hearing: | X-James D. Anker, Chairman* X-Kenneth F. Troup X-Mary W. Olsson* *On the advice of Town Counsel, as confirmed by the State Ethics Commission, Anker disclosed that he is an abutter to the property that is the subject of this application, while Olsson disclosed that she is a member of the club, but has no financial interest in the club. As instructed by Town Counsel, the Board of Selectmen invoked the "Rule of Necessity" to allow all three members to participate in the proceedings, as a minimum of three affirmative votes is required to approve the special permit application. |
| Details of application summarized by: | Brian Lynch, Kelly Cardoza, Ron Milenski, Peter Dillon, Paul McManus, David Sadowski, Dan Weadock, Thomas Napolitano, Richard Nysten. |
| Summary of discussion during hearing: | The following people praised the efforts of the IGC and supported this proposal: R. Heaton (an abutter) and K. Swanton (a neighbor). Discussion focused on providing a buffer between Ballville Road and the new first hole and future golf school area (a revised plan has been submitted showing the increased buffer zone); another focused on the need to import or export fill; and associated construction traffic (no fill will have to leave the site, although material will be moved around in creating the course; construction traffic will be during reasonable hours and will enter and exit so as to avoid Route 117). Additional discussion on traffic revealed that the traffic study indicates that traffic generated by golfers will double, however the traffic will be staggered between members and corporate groups such that the additional traffic will be spread out during the day, and will occur at times other than during the normal peak traffic hours, thus mitigating the impacts of the additional traffic. In addition, letters of support from the police and fire chiefs, and superintendent of public works state that the proposal will not cause undue demand on town services. |

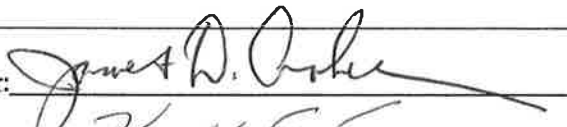


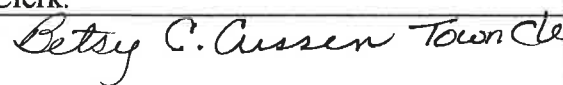
PART III. Decision:

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| Findings and facts: | <p>The Board of Selectmen hereby makes the following findings, based on the facts stated:</p> <p>1. The project use is in harmony with the Zoning Bylaws. The Town of Bolton created the Limited Recreation Business District by town meeting vote to allow the golf course use in a new zoning district as a matter of right with accessory uses by special permit.. Prior to the town meeting vote the property was located in a residential district. The project is proposed in the Limited Recreation Business District. The golf course meets the purpose of the district to promote recreational business and to protect public health and safety; facilitate the adequate provision of water and water supply, aquifers and recharge areas; and to protect natural and landscaped conditions as well as open space for commercial use, education, recreation and general welfare. Water for the course will be taken from on the site, and all tests indicate that it will not have any impact on local groundwater supply.</p> <p>The project meets the requirements of Section 2.3.8.2 with more than 120 contiguous acres, and exceeds the required average density of six (6) acres per hole; the course density is 13.8 acres per hole.</p> <p>2. The project use is in harmony with the adjacent neighborhood. The International controls in excess of 700 acres on its entire property. It is surrounded by open space and single family residential properties. The use of the International property for the expanded golf course is consistent with the neighborhood use of open space and low density use. The use of the property for the golf course protects and preserves the open space with little or no impact on the surrounding neighborhood. The course has been designed with a buffer from the residential neighborhood.</p> <p>3. Adequate and appropriate facilities exist for the operation of the proposed use. The expanded golf course will not require additional municipal infrastructure. The expanded course will utilize the existing drinking water wells, wastewater treatment plant, parking facilities, and clubhouse. Accessory structures will be constructed for a snack bar, restrooms, putting green, and driving range.</p> <p>4. The project meets the requirements for a special permit under Section 2.3.8. The project will not impact any areas of endangered species habitat; the project has limited its wetland</p> |
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alteration to four (4) small wetland crossings that have been minimized with the use of bridges; the project will protect natural features; the project will protect water supply and the environment with the adoption of a comprehensive integrated pest management plan (IPM); the IPM plan regulates the application of fertilizers, grasses, and the nature and extent of pesticide spraying to protect surface and groundwater quantity and quality; the project's extensive hydrogeologic evaluation concludes that the withdrawal of irrigation water will not impact Lancaster public supply wells; the use of lined reservoirs and water conservation methods will reduce water demand and protect water supply; and the proposed golf course will not adversely affect the level of service of adjacent roads or the local traffic network.

5. The site plan conforms with the requirements of Section 2.5.5.6, Site Plan Approval, which requirements are based upon the safety of vehicular and pedestrian travel on the property, the location of driveway openings, signage, fencing, adequate waste disposal, the protection of the neighborhood premises from drainage and sound, adequate space for loading and unloading of products, goods, and materials; and limited demands on the town's resources. The Applicant has demonstrated that its internal traffic network is adequate, there is sufficient waste disposal capacity, and that there is sufficient area to load and unload products, goods, and food. The existing driveway opening will continue to be utilized, and has been selected to minimize traffic impacts. The property's use is buffered from the neighborhood to protect against noise and drainage impacts. The signage that will be added to the additional 18-hole course will be consistent with existing signage.

In summary, there will be limited demands on the town's resources as a result of this proposal.

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| Date of vote on decision: | November 4, 1999 |
| Decision of Board of Selectmen: | <p>The Board of Selectmen approves this application for a special permit and site plan approval, with the following conditions:</p> <p>All other required local, state, and federal permits shall be obtained.</p> <p>This decision shall not take effect until a copy of this decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after this decision has been filed in the office of the Town Clerk, and that no appeal has been filed within said twenty (20) days; or that, if such appeal has been filed, that it has been dismissed or denied. Further, this decision shall not take effect until it is recorded in the Worcester County Registry of Deeds and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner's certification of title.</p> <p>Appeals, if any, from this decision shall be made pursuant to The Zoning Act, Massachusetts General Laws, chapter 40A, section 17, and shall be filed within twenty (20) days after the date of filing of the notice of this decision, or filing of this decision, in the office of the Town Clerk.</p> <p>Building construction shall be in accordance with all Town of Bolton bylaws.</p> <p>All taxes owed by the owner(s) shall be paid in full.</p> |
| Vote of Board: | X-Unanimous |
| Signatures of members: | <p>Yes No Not Voting</p> <p>X---<input type="checkbox"/>---<input type="checkbox"/>-James D. Anker: </p> <p>X---<input type="checkbox"/>---<input type="checkbox"/>-Kenneth F. Troup: </p> <p>X---<input type="checkbox"/>---<input type="checkbox"/>-Mary W. Olsson: </p> <p>The Board of Selectmen hereby certifies that copies of this decision and all plans referred to in this decision have been filed with the Planning Board and Town Clerk.</p> |
| Date decision filed with Planning Board and Town Clerk: | Nov. 10, 1999  Town Clerk |
| <p>A detailed record has been made of the Board of Selectmen proceedings on this application indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and setting forth clearly the reason for this decision and the Board's official actions. Copies of all such records have been filed with the Town Clerk within 14 days of the vote on this decision. Notice of this decision, or this decision itself, has been mailed to the applicant, and to all abutters as required by Massachusetts General Laws, c. 40A, s. 11.</p> | |