

MINUTES OF ANNUAL TOWN MEETING
Monday, May 6, 2019
Nashoba Regional High School Auditorium
7:00 p.m.

Prior to the start of the meeting the following were duly sworn to faithful service for the evening: checkers were, Annelisa Addante and Wendy Rogers checking registered voters in using Poll Pads for the first time. Under the direction of and including Randy Proteus, the counters were, Roger Breeze, Bob Busch, Burt Shnitzler, Lori Bernard and Patty Pleshaw.

Douglas Storey, called the Annual Town Meeting to order at 7:00 pm after determining more than the required quorum of 75 voters had checked in. Mr. Storey acknowledged the warrant had been duly posted and was returned to the Town Clerk. He went on to introduce the members of the Board of Selectmen, Advisory Committee, Town Administrator, Town Counsel and Town Clerk. Mr. Storey took a moment to recognize the retirement of Linda Day in July. Mrs. Day has worked for the town for 31 years as Town Secretary and then Administrative Assistant to the Town Administrators. The total in attendance was 126 out of 4016 registered voters which is 3%.

Article 1: Accept Annual Reports

The Town voted to accept the reports of the Board of Selectmen and Advisory Committee, or any other Town officers, boards, or committees for the calendar year 2018.

Sponsor: Board of Selectmen

Note: Annual Reports are available at the Town Hall, Library and on our website at www.townofbolton.com.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 2: Unpaid Bills for Fiscal Year 2018

The Town voted to transfer from available funds the sum of \$2,707.96 (Two thousand seven hundred seven dollars and .96 cents) for the purpose of paying the following unpaid FY18 bills, pursuant to M.G.L. Chapter 44, Section 64.

\$ 52.90	Cornwell
\$148.00	Integrative Animal Health Center
\$161.50	Zoll Medical Corporation
\$250.54	Patterson Auto Body
\$265.00	Patriots Ambulance
\$289.01	TPX Communications
\$651.46	Coastal Medical
\$889.55	Fratlicelli Oil

Sponsor: Board of Selectmen

Summary: These are unpaid bills from the previous fiscal year for services that have been rendered.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: 4/5 Majority **Vote:** Unanimous in favor

Article 3: Fiscal Year 2020 Operating Budget

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$24,905,915.39 (Twenty four million nine hundred five thousand nine hundred fifteen dollars and .39 cents) or any other amount, as set forth in the budget for the purposes of operating and maintaining the various departments of the Town, and to meet such appropriation:

- a. The sum of \$150,000 (One hundred fifty thousand dollars) be transferred from the Cell Tower Fund;
- b. The sum of \$75,000 (Seventy five thousand dollars) be transferred from the Ambulance Receipts Reserved for Appropriation to be applied to the Ambulance Department budget;
- c. The sum of \$120,000 (One hundred twenty thousand dollars) or any other amount, be transferred from the Overlay Reserve Account;
- d. The sum of \$287,412.58 (Two hundred eighty seven thousand four hundred twelve dollars and .58 cents) or any other amount, be transferred from Free Cash;
- e. The sum of \$24,273,502.81 (Twenty four million two hundred seventy three thousand five hundred two dollars and .81 cents) to be raised by taxation.

Sponsor: Board of Selectmen

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 4: Spending Limits of Revolving Fund Accounts

The Town voted pursuant to M.G.L. Chapter 44, Section 53E1/2 to set the limits on the total amounts that may be expended from each of the Town’s revolving funds established by Section 24-3 of the Code of the Town of Bolton.

Fund:	Maximum Amount Expendable:
Web-based Municipal Software Services	\$30,000
Nashoba Cadet EMT Program	\$ 3,500

Sponsor: Board of Selectmen

Summary: Under the amended M.G.L. Chapter 44, Section 53E ½, the Town must vote each year to set the total amounts that may be expended from each of the Town’s revolving funds, established by a bylaw adopted last year.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 5: Establishment and Spending Limit of Revolving Fund for Tax Title Collection

The Town voted to accept the provisions of M.G.L. Chapter 60, § 15B thereby establishing a tax title collection revolving fund for the Treasurer/Collector and to establish a spending limit of \$5,000 (Five thousand dollars) for FY2020.

Sponsor: Treasurer/Collector

Summary: This article would establish a revolving fund for our tax title fees. Currently, these fees go back into the General fund but with this new fund, we can use these fees to pay for costs associated with additional takings and/or legal expenses.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 6: Adopt 12th Paragraph of M.G.L. c. 41, Sec. 81U

The Town voted to accept the provisions of M.G.L. Chapter 41, Section 81U, Paragraph 12, to allow the proceeds received from any bond, surety, or deposit for a subdivision to be available to the Town for expenditure to meet the costs and expenses of the Town to complete the work specified in the approved subdivision plan, and if such proceeds do not exceed \$100,000.00, the expenditure may be made without a specific appropriation under M.G.L. Chapter 44, Section 53, provided such expenditure is approved by the Board of Selectmen.

Sponsor: Board of Selectmen

Summary: Accepting the 12th paragraph of M.G.L. c.41 Section 81U will allow the Planning Board, in the event of a default by a developer, to spend up to \$100,000.00 of the proceeds of a subdivision bond or surety to complete municipal ways and services without the need for town meeting vote to appropriate the funds.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority

Vote: Unanimous in favor

Article 7: Amendment to the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article V. Special Regulations, Section 250-23. Business, commercial and industrial regulations - to Amend Subsection G. Design review criteria

Planning Board Report, by Danielle Spicer: At a duly noticed Planning Board Hearing held on February 13, 2019, the Planning Board voted unanimously to support and recommend approval of Article 7 of the Warrant to amend Section 250-23.G of the Business, Commercial and Industrial Regulations to require additional stormwater requirements for commercial development.

The Town voted to amend the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article V. Special Regulations, Section 250-23.G. Design Review Criteria as follows (deletions in *parenthesis and italics* and additions are underlined):

§250-23. Business, commercial and industrial regulations

G. Design review criteria. The Planning Board shall consider the following additional design criteria in conducting special permit review for all developments of business or mixed-use properties subject to special permit review under the Town of Bolton Zoning Bylaw. The Board of Selectmen may also use these criteria in undertaking site plan review for all business projects in the Town of Bolton subject to site plan review. The Board of Appeals shall also consider these criteria in review of special permits and variances for all business and industrial uses. The Planning Board, from time to time, may adopt additional design review guidelines regulations to advance the goals of this section and to provide more detailed examples for prospective developers. [Added 5-2-2011 ATM by Art. 16]

(13) Stormwater. Stormwater management shall comply with the following requirements:

(a) Massachusetts Stormwater Management Policy set forth in the latest edition of the Massachusetts Department of Environmental Protection Stormwater Handbook.

(b) Rainfall data set forth in the latest edition of the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Cartographic Maps of Precipitation Frequency Estimates.

(c) Post-development peak discharge volumes shall meet pre-development peak discharge volumes for the 2, 10, 25, and 100 year 24 hour storm events to prevent downstream flooding on neighboring properties.

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Planning Board

Summary: This bylaw amendment will provide additional stormwater requirements to commercial developments to be built or expanded in Bolton. Developers will be required to meet the Massachusetts Stormwater Policy outlined in the MassDEP Stormwater Handbook as well as use the latest rainfall data from NOAA. In addition, developers will not be able to exceed stormwater runoff volumes generated from pre-development conditions in order to prevent downstream flooding. The intent of this bylaw amendment is to plan and prepare for climate change.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: 2/3 Majority

Vote: Unanimous in favor

Article 8: Amendment to the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article IV. General Regulations, Section 250-17. Driveways and parking - to Amend Subsection B. Common driveways serving three lots to five lots.

Planning Board Report, by Danielle Spicer: At a duly noticed Planning Board Hearing held on February 13, 2019, the Planning Board voted unanimously to support and recommend approval of Article 8 of the Warrant for a zoning amendment relative to Section 250-17. Driveways and Parking to amend Subsection B. Common driveways serving three lots to five lots.

The Town voted to amend the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article IV. General Regulations, Section 250-17.B. Common driveways serving three lots to five lots as follows (deletions in *parenthesis and italics*) and additions are underlined):

§250-17. Driveways and parking

B. Common driveways serving three lots to five lots.

- (5) The common driveway must meet the design criteria of this bylaw, and any additional design criteria established by the Planning Board in regulations duly voted by said Board according to law.
- (b) When deciding whether or not to grant a special permit to create a common driveway, the Planning Board should consider:
 - [1] The safety of the common driveway, as designed, for normal use.
 - [2] The safety of the intersection with the Town way.
 - [3] The adequacy of the legal agreements for maintenance and access.
 - [4] The adequacy of the common driveway to provide access to vehicles carrying materials which are potentially hazardous if spilled, such as home heating oil.
 - [5] The environmental impact on wetlands and water resource areas (.) as defined in the Wetlands Protection Act, (M.G.L., c. 131, § 40) and Bolton's Wetlands Bylaw, Chapter 233, from the overall project development within the limit of work area.

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Planning Board

Summary: This bylaw amendment serves to update the Planning Board criteria when deciding whether to grant a special permit for a common driveway serving three to five lots to include the environmental impact on wetlands and water resource areas from the overall project development. The overall project refers to the development within the limit of work area. Currently the bylaw is ambiguous and could be interpreted to account for environmental impact from the common driveway only. This bylaw amendment serves to further protect Bolton's wetland resource areas as defined in Bolton's Wetlands Bylaw.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: 2/3 Majority **Vote:** Unanimous in favor

Article 9: Amendment to the Code of the Town of Bolton, Division I, Part III Zoning Bylaw to Amend One Building per Lot for Business, Limited Business and Industrial Uses.

Planning Board Report, by Erik Neyland: At a duly noticed Planning Board Hearing held on February 13, 2019, the Planning Board voted unanimously to support and recommend approval of Article 9 of the Warrant for a zoning amendment relative to Section 250-13.C to amend One Building per Lot for Business, Limited Business and Industrial Uses.

The Town voted to amend the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article V. Special Regulations, Section 250-13.C. One Building per Lot as follows (deletions in *parenthesis and italics* and additions are underlined):

§250-13

C. One Building per lot.

- (1) Residential use. Not more than a single dwelling shall be erected or moved onto a lot unless allowed by special permit under *(the Barn, Stable and Carriage House Preservation Bylaw, Chapter 151, Historic Preservation, Article I, of the Code of the Town of Bolton)* §250-27.1 of this Zoning Bylaw [Amended 10-16-2013 STM by Art. 4]
- (2) Other uses. *(Not more than a single principal building, regardless of use, shall be erected or moved onto a lot.)* More than one principal building may be allowed for uses identified under §250-12 of this Zoning Bylaw requiring a special permit from the Planning Board.

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Planning Board

Summary: This bylaw amendment is intended to provide flexibility to business owners to develop commercial properties in harmony with the existing character of Bolton by discouraging the use of strip malls/large singular structures by allowing multiple buildings. Multiple buildings are also intended to encourage parking on the side and/or rear of a building (in order to provide shared parking between buildings) versus the front of the property towards the public way.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: 2/3 Majority **Vote:** Unanimous in favor

After Article 9 was moved and voted, David Bosselait in the audience, called a point of order. He indicated that Articles 4 through 9 had not been ‘moved’, as Articles 1-3 had been by the BoS Chairman Jonathan Keep. Mr. Storey explained the need to revote the Articles. He returned to Article 4, and had the Town Meeting body revote Articles 4 through 9.

Article 10: Amendment to Bolton’s Town Base Map and Zoning Map Concerning the Main Street and Forbush Mill Road Area, the 495 Interchange Area, the Area Along Main Street Near the Stow Line, and the Mixed Use Village Overlay District

Planning Board Report, by Erik Neyland: At a duly noticed Planning Board Hearing held on February 13, 2019 and April 24, 2019, the Planning Board voted unanimously to support and recommend approval of Article 10 of the Warrant to amend the Bolton, Massachusetts Town Base Map and Zoning Map dated September 2016 to amend district boundary lines for Business, Limited Business, and Industrial Zoning Districts as well as the Mixed Use Village Overlay District to resemble existing parcel boundary lines.

A motion was made by Cia Ochsenbein to amend Article 10 by removing Parcel 4.C-27 (579 Main Street) from the list. After some discussion, the amendment was moved to a vote.

Vote: Majority in Favor

After more discussion, the Town voted against:

1. Amending the Bolton, Massachusetts Town Base Map and Zoning Map dated September 2016 to amend district boundary lines for Business, Limited Business, and Industrial Zoning Districts to resemble existing parcel boundary lines, and amend corresponding boundary lines of the Wireless Communications Overlay Districts affecting the following parcels:

Assessors Map & Parcel Number	Address	Existing Zoning Districts	Proposed Zoning District
INDUSTRIAL DISTRICT			
4.E-35	0 Annie Moore Road (Conservation)	Residential & Industrial	Residential
5.E-10.A	0 RT 117 & Stow Line 1R	Industrial (Bolton) & Residential (Stow)	Residential
5.E-52	194 Annie Moore Road	Residential & Industrial	Residential
5.E-59	51 Bolton Woods Way	Residential & Industrial	Residential
5.E-60	53 Bolton Woods Way	Residential & Industrial	Residential
5.E-70	73 Bolton Woods Way	Residential & Industrial	Residential
5.E-71	75 Bolton Woods Way	Residential & Industrial	Residential
5.E-72	77 Bolton Woods Way	Industrial	Residential
5.E-73	76 Bolton Woods Way	Industrial	Residential
5.E-74	74 Bolton Woods Way	Industrial	Residential
5.E-75	72 Bolton Woods Way	Industrial	Residential
5.E-76	70 Bolton Woods Way	Industrial	Residential
5.E-77	68 Bolton Woods Way	Industrial	Residential
5.E-78	66 Bolton Woods Way	Residential & Industrial	Residential
5.E-79	64 Bolton Woods Way	Residential & Industrial	Residential

5.E-81	60 Bolton Woods Way	Residential & Industrial	Residential
5.E-82	58 Bolton Woods Way	Residential & Industrial	Residential
5.E-83	56 Bolton Woods Way	Industrial	Residential
5.E-84	54 Bolton Woods Way	Industrial	Residential
5.E-85	52 Bolton Woods Way	Industrial	Residential
5.E-86	50 Bolton Woods Way	Industrial	Residential
5.E-87	Bolton Woods Way	Residential & Industrial	Residential
5.E-91	0 RT 117 & Stow Line 3R	Industrial (Bolton) & Residential (Stow)	Residential
5.E-95	0 Main Street (Town Land)	Industrial	Residential
5.E-96	0 Main Street (Town Land)	Industrial	Residential
5.E-98	41 Bolton Woods Way	Residential & Industrial	Residential
5.E-99	43 Bolton Woods Way	Residential & Industrial	Residential
BUSINESS DISTRICT AT ROUTE 495			
4.D-28	460 Main Street (Ex. Gas Station)	Business & Residential	Business
4.D-30	0 Main Street	Business & Residential	Business
4.D-33	0 Main Street	Business & Residential	Business
4.D-34	506 Main Street	Business & Residential	Business
4.D-61	476 Main Street (Country Cupboard)	Business & Residential	Business
4.D-71	0 Main Street	Residential & Business	Residential
LIMITED BUSINESS DISTRICT AT ROUTE 495			
3.C-23	0 ADJ 495	Residential & Limited Business	Residential
3.C-24	0 S Bolton Road & RT 495	Residential & Limited Business	Residential
3.C-43.1	0 S Bolton Road	Residential & Limited Business	Residential
4.C-26	Craftsman Village	Limited Business & Residential	Residential
4.C-27	579 Main Street (Bolton Global Capital)	Limited Business & Residential	Limited Business
4.C-70	Craftsman Village	Limited Business	Residential
4.C-71	Craftsman Village	Limited Business	Residential
4.C-72	Craftsman Village	Limited Business	Residential
4.C-73	Craftsman Village	Limited Business	Residential
4.D-1	47 Sugar Road (Colonial Candies)	Limited Business & Residential	Limited Business
LIMITED BUSINESS/BUSINESS DISTRICT AT FORBUSH MILL ROAD			
5.B-57	113 Wilder Road	Residential & Business	Residential
6.A-4	125 Still River Road (Bolton Orchards)	Residential & Business	Residential

6.B-0	40 Forbush Mill Road	Residential & Business	Residential
6.B-2	25 Forbush Mill Road (Liquor Store)	Business & Residential	Business
6.B-4	1084 Main Street (Keller Williams)	Business & Limited Business	Business
6.B-177	Tadmor Subdivision	Residential & Business	Residential
6.B-178	Tadmor Subdivision	Residential & Business	Residential
6.B-187	Tadmor Subdivision (Conservation)	Residential & Business	Residential
6.B-188	Tadmor Subdivision (Conservation)	Residential & Business	Residential

Here is a link to view the Amendments to Bolton's Town Base Map and Zoning Map:
<https://www.townofbolton.com/home/pages/may-6th-2019-zoning-map-amendments>

- To amend the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article V. Special Regulations, Section 250-23.2. Mixed Use Village Overlay District, Section A as follows (deletions in *parenthesis and italics*) and additions are underlined):

§250-23.2. Mixed Use Village Overlay District.

- Location. The Mixed Use Village Overlay District includes properties east and west of the intersection of I-495 and Route 117 zoned Business(,) and Limited Business (*and Residential*) and designated on the Bolton Assessors Map as Map 4C, Parcel 24; Map 4C, Parcel 35; Map 4C, Parcel 39; Map 4D, Parcel 21; Map 4D, Parcel 28; Map 4D, Parcel 29; Map 4D, Parcel 30; Map 4D, Parcel 33; Map 4D, Parcel 34; and Map 4D, Parcel 61(;
(and) the portion of Map 4D, Parcel 71 zoned Business).

AND

- Amending the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article VI. Definitions, Section 250-28. Terms defined, by amending the definition of Base Map, as follows (deletions in *parenthesis and italics*) and additions underlined);

BASE MAP

The Base Town Map and Zoning District Map shall be known as and referred to in the Town of Bolton Zoning Bylaws as the "Base Map(.)" (*The Base Map is the map prepared by Ducharme & Dillis Civil Design Group, Inc.,*) revised (*September 2016*) May 6, 2019 and on file with the Town Clerk.^[1]

[Added 5-4-1998 ATM by Art. 18; amended 5-4-2004 ATM by Art. 22; 11-14-2005 STM by Art. 4; 7-14-2008 STM by Art. 1; 5-7-2012 ATM by Art. 26]

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Planning Board

Summary: The amendments to Bolton's Town Base Map & Zoning Map are intended to reduce the number of parcels split between zoning districts by matching the Business, Limited Business and Industrial Zoning District boundaries to parcel boundaries, to avoid the zoning problems associated with split lots. The amendments will also eliminate existing residential/conservation properties from the Business, Limited Business and Industrial Zoning Districts including, but not

limited to, parcels in Bolton Woods Way, Craftsman Village at Brigham Farm and Tadmor Subdivision, as those properties are no longer appropriate for commercial development. The amendment also serves to update the Mixed Use Village Overlay District to accommodate the new zoning district boundaries with respect to Parcel 4.D-71, located at the intersection of Main Street and Hudson Road, so that all properties located within the Mixed Use Village Overlay District will be located in the Business and Limited Business Zoning Districts only.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: 2/3 Majority

Vote: Failed – Count: 72 In Favor 43 Opposed
Did not achieve 2/3 Majority

Article 11: Amendment to the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, to Add Warehouse and Self-Storage Facilities to the Schedule of Permitted Uses and Add Definitions for Light Manufacturing, Research and Development Laboratories, Self-Storage Facilities, and Warehouse

Planning Board Report, by Erik Neyland: At a duly noticed Planning Board Hearing held on February 13, 2019, the Planning Board voted unanimously to support and recommend approval of Article 11 of the Warrant to add Warehouse and Self-Storage Facilities to the Schedule of Permitted Uses and Add Definitions for Light Manufacturing, Research and Development Laboratories, Self-Storage Facilities, and Warehouse.

The Town voted as follows:

1. To amend the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Article III. Zoning District Regulations, Section 250-12. Schedule of permitted uses, as follows (deletions in *parenthesis and italics*) and additions underlined;

Types of Uses	Residential	Business	Limited Business	Industrial	Limited Creation Business
Manufacturing and processing	No	No	No	SP	No
Light manufacturing (see 250-23)	No	No	No	SP	No
Research and development laboratories	No	No	No	SP	No
Bulk storage**	No	No	No	SP	No
Industry-occupied trailer	No	No	No	No	No
<u>Warehouse</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>SP</u>	<u>No</u>
<u>Self-storage facilities</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>SP</u>	<u>No</u>

AND

2. To amend the Code of the Town of Bolton, Division I, Part III. Zoning Bylaw, Chapter 250. Zoning, Article VI. Definitions, Section 250-28. Terms defined, by adding the definitions of Light

Manufacturing, Research and Development Laboratories, Self-Storage Facilities, and Warehouse, as follows (deletions in *parenthesis and italics*) and additions underlined;

LIGHT MANUFACTURING

The fabrication, processing, packaging, or assembly operations employing only electric or other substantially noiseless and inoffensive motor power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents such as odors, gas, fumes, smoke, cinders, refuse matter, electromagnetic radiation, heat, or vibration; provided that there is no outside storage of materials or finished goods.

RESEARCH AND DEVELOPMENT LABORATORIES

Research and development laboratories in the fields of biotechnology, medical, pharmaceutical, physical, environmental, biological, and behavioral sciences as well as software and electronic design; wholly within an enclosed building.

SELF-STORAGE FACILITIES

A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods, automobiles, boats, or contractors supplies.

WAREHOUSE

A building used primarily for the enclosed storage of goods and materials for distribution, but not for sale on the premises, excluding mini or self-storage facilities. Support facilities such as office and administrative included.

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Planning Board

Summary: This bylaw amendment adds Warehouse and self-storage facilities to the schedule of permitted uses as allowed uses in the Industrial District. A “SP” means a use allowed by special permit acted on by the Planning Board. In addition, this bylaw amendment also adds definitions for Light Manufacturing, Research and Development Laboratories, Self-Storage Facilities, and Warehouse to Bolton’s Zoning Bylaw, to provide further clarification of the uses and assist the Town in regulating allowed uses in the Industrial District. Light Manufacturing and Research and Development Laboratories are currently allowed by special permit in Bolton.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: 2/3 Majority **Vote:** Unanimous in favor

Article 12: Amendment to the Code of the Town of Bolton, Division I, Part II, General Legislation, to add new Section 218 Transfer Station

The Town voted to amend the Code of the Town of Bolton, Division I, Part II, General Legislation, by inserting the following new Chapter 218. Transfer Station, as follows (additions underlined):

Chapter 218 – Transfer Station.

§ 218-1 Transfer Station Regulations.

The Board of Selectmen of the Town of Bolton may adopt rules and regulations for the operation and use of solid waste transfer station facilities controlled by the Town of Bolton.

§ 218-2 Violations and penalties.

Any rules and regulations adopted in accordance with this chapter may be enforced by noncriminal disposition pursuant to Chapter 1, General Provisions, Article III, § 1-5, of the Code of the Town of Bolton.

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Board of Selectmen

Summary: Operation of the Bolton Transfer Station provides a substantial municipal service to its citizens. Along with the service provided to Bolton citizens, there are a great many factors that affect the Town’s compliant operation of this facility. Factors such as who may use the facility, what materials are accepted, and what materials must be separated from other materials are all dictated by Federal and State regulations and the permit that Bolton operates under. Compliance under the permit has become quite challenging. This Bylaw formally allows the Board of Selectmen to establish local rules and regulations to better equip Bolton in meeting its permit compliance obligations.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority

Vote: Unanimous in favor

Article 13: Amendment to the Code of the Town of Bolton, Division I, Part I, Administrative Legislation, Chapter 1, General Provisions, Article III, Section 1.5 Noncriminal Disposition

The Town voted to amend the Code of the Town of Bolton, Division I, Part I, Administrative Legislation, by inserting the following violations related to the Transfer Station, as follows (additions underlined);

Chapter	Violation	Enforcing Officer	Fine	
<u>Board of Selectmen Rules and Regulations of the Bolton Transfer Station</u>	<u>Use of Transfer Station by non-Bolton residents</u>	<u>Director of Public Works</u>	<u>\$300</u>	<u>/offense</u>
	<u>Any load or portion of a load determined to be from any municipality other than the Town of the Bolton</u>	<u>Director of Public Works</u>	<u>\$300</u>	<u>/offense</u>
	<u>Disposal of trash bag while failing to affix trash sticker</u>	<u>Director of Public Works</u>	<u>\$20</u>	<u>/ bag</u>
	<u>Disposal of any Item without paying required disposal fee</u>	<u>Director of Public Works</u>	<u>\$20</u>	<u>/ offense</u>

	<u>Failure to adhere to Regulated Waste Ban, including disposal of materials/items not accepted at the facility</u>	<u>Director of Public Works</u>	<u>\$50</u>	<u>/ offense</u>
	<u>Disposal of items to other than proper designated container, or improper mixing of materials</u>	<u>Director of Public Works</u>	<u>\$10</u>	<u>/ offense</u>
	<u>Disposal of any hazardous materials</u>	<u>Director of Public Works</u>	<u>\$300</u>	<u>/ offense</u>
	<u>Trespass on Transfer Station property when facility is closed</u>	<u>Director of Public Works</u>	<u>\$300</u>	<u>/ offense</u>
	<u>Salvaging or picking without authority</u>	<u>Director of Public Works</u>	<u>\$100</u>	<u>/ offense</u>

and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Bolton.

Sponsor: Board of Selectmen

Summary: This Article proposes to add to the Bolton Bylaws provisions to enforce violations of Transfer Station Rules and Regulations by defining the violation, the enforcing officer and fines as Noncriminal offenses. Article 13, previously acted upon by this Town Meeting, establishes the Bylaw and Regulations relative to the operation of the Bolton Transfer Station.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority

Vote: Unanimous in favor

Article 14: Local Option Rooms Tax

The Town voted to increase the local room occupancy excise tax previously accepted by the Town pursuant to M.G.L. Chapter 64G, Section 3A, from 2% to 6%, effective July 1, 2019.

Sponsor: Board of Selectmen

Summary: This article will allow the Town to increase the local room occupancy excise tax from 2% to 6%.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation:

Vote Required: Majority

Vote: Unanimous in favor

Article 15: Recoat on Roof of Public Safety Building - \$32,000

The Town voted to raise and appropriate or transfer from available funds the sum of \$32,000 (Thirty two thousand dollars) to pay for the costs associated with recoating the roof of the Public Safety Building; and to meet this appropriation, the sum of \$5,200 (Five thousand two hundred dollars) to be transferred from unexpended funds from the Parking Lot Repairs, as previously appropriated by Article 14 of the May, 2016 Annual Town Meeting; and \$320 (Three hundred twenty dollars) to be transferred from unexpended funds from the 117 Pedestrian Crossing Improvements, as previously appropriated by Article 22 of the May, 2018 Annual Town Meeting; or do or act relating thereto.

Sponsor: Department of Public Works

Summary: The roof over the fire apparatus floor is the original roof. The original roof was recoated approximately 20 years ago and is ready for a new recoat. Recoat spray needs to be done for general maintenance to keep roof from leaking.

The roof does not leak which makes it a perfect candidate for recoating which is a very cost-effective life extender for the existing roof. A roof not adequately maintained which becomes compromised could easily cost between four to five times the recoating cost.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 16: Replacement of DPW Director's 2005 Crown Victoria with a ¾ -Ton Pick Up Truck with Plow Equipment - \$46,900

The Town voted to raise and appropriate or transfer from available funds the sum of \$46,900 (Forty-six thousand, nine hundred dollars) to pay for the costs associated with the purchase of a ¾ -Ton pick-up truck with plow equipment.

Sponsor: Department of Public Works

Summary: Replacement of DPW Director's 2005 Crown Victoria with a ¾ -Ton pick-up truck w/plow equipment. This request not only eliminates a functionally and operationally obsolete sedan, it adds an additional vehicle to the winter snow fighting operation. Access onto construction sites for inspections is impossible in a sedan. The Crown Victoria being replaced is not operation and awaiting surplus auction.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (5 in favor, 1 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: Majority **Vote:** Majority in favor

Article 17: Replacement of DPW Maintenance SUV with a ½ Ton Van – \$38,000

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$38,000 (Thirty eight thousand dollars) to pay for the costs associated with the purchase of a ½ -Ton van for the Department of Public Works.

Sponsor: Department of Public Works

Summary: Replacement of DPW 2008 Ford Expedition. This request eliminates a functionally and operationally obsolete SUV. The current SUV is not an appropriate class of vehicle for storage and carriage of maintenance tools, materials, and supplies. The current vehicle is worn-out with a myriad of mechanical and electrical problems. Pick-up truck (covered bed) alternatives were considered but proved to be less functional at a much higher cost.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 18: Drainage/Flood Control Improvements, South Bolton and Spectacle Hill Roads - \$250,000

The Town voted to raise and appropriate, borrow, transfer from available funds or otherwise provide the sum of \$250,000 (Two hundred fifty thousand dollars) to implement drainage and flood control improvements for South Bolton and Spectacle Hill Roads; and to meet this appropriation, the sum of \$3,421.65 (Three thousand four hundred twenty one dollars and .65 cents) to be transferred from unexpended funds from the Replacement of Fire Apparatus Article, as previously appropriated by Article 26 of the May, 2014 Annual Town Meeting; and \$2.68 (Two dollars and .68 cents) to be transferred from unexpended funds from the Purchase of a new tractor/loader backhoe for the Department of Public Works Article, as previously appropriated by Article 17 of the May, 2016 Annual Town Meeting.

Sponsor: Department of Public Works

Summary: There are significant drainage issues that cause flooding at Spectacle Hill Road and South Bolton Road. A separate Capital Request of \$43,700 was submitted as an FY19 request. The FY19 request was to undertake the survey, design and bid document preparation for future construction of the drainage improvements. That design is complete and bids results for construction are expected to be reported at Town Meeting.

The project includes several drainage improvements that are all carried out as a single project. A pipe will be installed to convey storm water runoff from one side to the other and beneath Spectacle Hill Road. A relief drain in the easterly should of Spectacle Hill Road to divert runoff into a deliberate drainage collection system will be created. A series of collection catch basins and piping will be built. A piped discharge from the new system towards receiving waters along with the required water quality features will be built. Reconstruction of the roadway base and pavement surfaces in these areas will be undertaken separately by the DPW using State CH90 funds.

The extent and frequency of flooding is attributed to many factors; some are attributed to the Development of Century Mill Estates, some is attributed to an inherent deficiency in the municipal drainage system. The scope of this project is limited to ONLY those conditions that the Town is responsible for. No effort or cost will be borne by the Town for those impacts caused by CME.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: 2/3 Majority **Vote:** 2/3 Majority in favor

Article 19: Engineering to Replace Failed Culvert, Wattaquaddock Hill Road – \$80,000

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$80,000 (Eighty thousand dollars) to fund the engineering for replacement of the failed culvert on Wattaquaddock Hill Road and all costs incidental.

Sponsor: Department of Public Works

Summary: This failed culvert is a very complicated environmental and transportation problem with significant cost implications. The total cost could easily surpass several hundred thousand dollars. This FY20 request is to undertake engineering work which includes survey, soils exploration, engineering and design, permitting, and bidding services only. No-construction is proposed in FY20. A separate FY20 request is being made under ARTICLE 24, below, to carry out interim emergency protective measures at the site to alleviate major flooding concerns until final replacement construction is completed. Pending the results of the engineering effort funded by this request, an FY21 request for construction money can be made with much more confidence of the final cost.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 20: Emergency Protective Measure Related to Failed Culvert, Wattaquaddock Hill Road – \$20,000

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$20,000 (Twenty thousand dollars) for the construction of an emergency protective overflow pipe on Wattaquaddock Hill Road.

Sponsor: Department of Public Works

Summary: The current condition of the failed culvert poses public and private risks. Water impounded in the brook upstream of the culvert causes expansive and frequent flooding. The flood water poses risks to several private properties including buildings, septic systems and wells. The flood water also creates a saturated condition in the Wattaquaddock Hill roadway soil structure, causing vulnerability of roadway failure and major traffic disruption. The emergency protective measures proposed under this request will allow for the installation of an overflow conduit, which will act as an emergency

stop-gap measure until such time as the final repair can be made. Every effort will be made to continue to utilize the emergency overflow conduit in the final design.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

**Article 21: Command Vehicle Chevrolet Silverado 2500 Pick Up Truck (Command/Utility Vehicle)
- \$50,000**

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$50,000 (Fifty thousand dollars) to purchase a command/utility ¾ ton pickup truck to be used for the operations and emergency response of the Fire Department for the Town of Bolton.

Sponsor: Fire Department

Summary: The ¾ ton pickup truck will allow the Fire Department to transport hose and other items from fire scenes back to the fire station for cleaning. In addition, the truck will be used as the command post for all fire related emergencies. The truck will have the capacity to haul all trailers the fire department currently utilizes including but limited to light tower and sign board.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Capital Planning Committee Recommendation: Approved (4 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 22: Emerson School Building Carpet Replacement - \$30,000

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$30,000 (Thirty thousand dollars) for the replacement of carpet in the Emerson School Building.

Sponsor: Nashoba Regional School District

Summary: The carpets on the first and second floor of the Emerson Building are old, worn, and have exceeded their life expectancy.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 23: Temperature Control System Replacement Florence Sawyer School - \$98,160

The Town voted to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$98,160 (Ninety eight thousand one hundred sixty dollars) to pay for the costs associated with replacing the temperature control system for heating and ventilation at Florence Sawyer School.

Sponsor: Nashoba Regional School District

Summary: The existing temperature control system associated with the heating and ventilation of the Florence Sawyer School is obsolete. Nashoba Regional School District does not have digital control over heating in the 47 classrooms. In addition, there are communication/control issues with roof top units, exhaust fans and radiation. One of the seven rooftop units has failed completely. The boilers operate on an outside air temperature causing the system to run 24 hours a day even when the classrooms are unoccupied to prevent coils from freezing. The proposed temperature control system will include new communication lines, sensors and the replacement of actuators, rooftop units, exhaust fans, cabinet unit heaters and base boards. The new system will be programmed to operate on a user-defined occupancy schedule, adjusting room temperature set points as needed, and only introducing outdoor air during occupied hours. It is anticipated that a Green Community Grant along with utility incentives will contribute approximately \$99,200 towards the project.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority

Vote: Unanimous in favor

Article 24: Replenish the Advisory Committee Reserve Fund - \$25,000

The Town voted to transfer from available funds the sum of \$25,000 (Twenty five thousand dollars) to the Advisory Reserve Fund.

Sponsor: Advisory Committee

Summary: Because of unanticipated operating expenses, the amount of funding remaining in the Advisory Reserve Fund is lower than the Advisory Committee and town financial officials believe will be needed to complete FY19 on June 30, 2019.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 25: Nashoba Regional School District Debt Authorization - \$600,000

The Town voted to approve the \$600,000 (Six hundred thousand dollars) borrowing authorized by the Nashoba Regional School District to pay costs of designing and carrying out leaching field and fuel storage tank improvements at the High School, including the payment of all costs incidental or related thereto.

Sponsor: Nashoba Regional School District

Summary: The Nashoba Regional High School leach field needs to be relocated on the property due to recent changes in regulations put forth by the Massachusetts Department of Environmental Protection. The existing leaching field is out of compliance. The heating oil storage tank is in need of replacement due to reoccurring problems with surface water entering the concrete containment vault.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (6 in favor, 0 opposed)

Vote Required: Majority **Vote:** Unanimous in favor

Article 26: Establish Stabilization Fund for Nashoba Regional School District

The Town voted to approve the establishment of a Stabilization Fund by the Nashoba Regional School District, beginning July 1, 2019, pursuant to M.G.L. Chapter 71, Section 16G 1/2.

Sponsor: Nashoba Regional School District

Summary: The Nashoba Regional School District is seeking permission from the member towns to establish a Stabilization Fund as a mechanism for funding the Universal Full Day Kindergarten Program. The District is not requesting any funding for this at this time.

Approval of this article casts the Town's vote in favor of the establishment of a stabilization fund requested by the Nashoba Regional School District. This stabilization fund is established by majority vote of the Nashoba Regional School District and majority vote of the member towns' Town Meetings. The stabilization fund belongs to Nashoba Regional School District, not the individual towns.

No funding is requested at this time. The stabilization fund will be funded from the Nashoba budget, not the towns' budgets. However, town budgets are indirectly affected because the Nashoba budget comes largely from assessments on the member towns.

The stabilization fund may be appropriated by vote of 2/3 of the members of the Nashoba Regional School Committee, for any purpose for which regional school districts can borrow money, or for emergency purposes.

Nashoba wishes to establish this stabilization fund in order to provide a way to accumulate funds to be used for the funding of the first year of the Tuition Free Full Day Kindergarten Program.

Board of Selectmen Recommendation: Approved (3 in favor, 0 opposed)

Advisory Committee Recommendation: Approved (4 in favor, 2 opposed)

Vote Required: Majority **Vote:** Majority in favor

Article 27: Authorize Town Election

The Town voted to meet at the Nashoba Regional High School Auditorium in Bolton, on Monday, May 13, 2019, between the hours of noon and 8 p.m. to elect by ballot the following officers; or do or act relating thereto.

ONE YEAR: One Moderator, One Town Clerk, One member of the Parks/Recreation Commission

THREE YEARS: One member of the Board of Assessors, One member of the Cemetery Committee, Five Constables, One member of the Board of Health, One Library Trustee, One member of the Nashoba Regional School District Committee, Two members of the Parks/Recreation Commission, One member of the Board of Selectmen

FIVE YEARS: One member of the Housing Authority Trustees, One member of the Planning Board

Vote Required: Majority **Vote:** Unanimous in favor

Meeting dissolved 9:22 pm

A true copy.
Attest:



Pamela H. Powell
Town Clerk