

Planning Board Minutes

<b>Date:</b>	Wednesday, March 14, 2012
<b>Time:</b>	7:30 pm
<b>Location:</b>	Bolton Public Library 738 Main Street
<b>Present:</b>	Doug Storey, Mark Duggan, Jonathan Keep, John Karlon and Town Planner, Jennifer Burney Not Present: Marc Gautreau and James Owen

General Business 7:30 pm

Time	Description
7:30 pm	<p>Hearing for Country Dogs Daycare and Shoppe, Inc, to be located at the Salt Box, 626 Main Street, Bolton Applicants: Karen Newsham and Jean Sifleet Documents: Application</p> <p>Doug Storey read the hearing notice and opened the Public Hearing .</p> <p>The Board heard testimony from the applicant. A total of 3,000 SF will be used. 70 SF per dog but SF depends on size of a dog. A large dog requires 70 SF. 1-15 staff. There will be a component for a dog, 3 dog rooms, assessment room, intake room, retail area and an 18x36 sf outdoor enclosure.</p> <p>Doug Storey questioned the need for a kennel license that is issued by the Town Clerk. Doug believes that once it involves overnight use it would require a kennel license. This needs to be clarified with the Town Clerk.</p> <p>The outside use complies with the Business District and reviewed by the Building Inspector and will be anchored down. There will be an interior light inside the carport and will be off at night. There will be a rear entrance. The sides are made of steel and not plastic.</p> <p>There were many residents present who indicated support for the project. The Board also received many letters and emails in support to the project and one letter in opposition from resident Pat Bensetler, 674 Main Street.</p> <p>Board of Health member Chris Rogers was present and indicated that there are no standing issues with the proposed business use but they will need to speak to the owner to work out some septic issues. The septic system is in failure Mr. Rogers also expressed concern with the dog refuse. The applicants indicated that it would bagged and disposed of in the dumpster. The paved area is a sand base and would be replaced as needed. The Planning Board indicated that the decision could be contingent on meeting Board of Health Requirements.</p> <p>Selectmen David Lindsay wondered if the pizza place was okay with this. Consultant Tom Geagon representing the owners indicated that they were in support of it.</p> <p>Board member Jonathan Keep indicated that he defers to Bill Brookings and Conservation for the outside "cat litter box". E would like to see a raised bed or membrane or curbing of some sort to prevent run off. He questioned how often it would be cleaned and how the waste is disposed of. He felt more thought is needed and would like to see a maintenance plan for the outdoor area. There would be an impervious surface with lots of liquid and a plan to maintain it. The Board discussed this with Chris Rogers and stated that it would be subject to the approval of the Board of Health.</p> <p><b><i>TA motion was made by Mark Duggan and seconded by John Karlon to close the public hearing for Country Dogs Daycare and Shoppe, Inc., 4/0/0</i></b></p> <p><b><i>A motion was made by Mark Duggan and seconded by John Karlon to approve the request for a Special Permit for Country Dogs Daycare and Shoppe, Inc .with the conditions</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Subject to approval of the Board of Health</i></b></li> <li><b><i>2. Subject to approval of the Board of Selectmen</i></b></li> <li><b><i>3. Subject to approval of Conservation</i></b></li> <li><b><i>4. Final Clarification in regards to the kennel license issued by the Town Clerk and annual inspection of the Board of Selectmen, Animal Control Officer or their designee.</i></b></li> <li><b><i>5. The term of the Special Permit expires when the location of the Country Dogs Daycare and Shoppe, Inc. moves to another location with any redevelopment of the property and will be revoked if a nuisance.</i></b></li> </ol> <p><b><i>4/0/0</i></b></p>
8:20 pm	<p>Site Plan Review of Cell Tower 41 State Road, Sprint Application Documents: Application and Site Plan <b><i>A motion was made by Mark Duggan and seconded by John Karlon to approve the site plan review for cell tower located at 41 State Road by applicant Sprint 4/0/0</i></b></p>

Time	Description
8:30 pm	<p>Pursuant to M.G.L. Chapter 40A, Section 5, the Planning Board held a public hearing on Wednesday, March 14, 2012 at 8:30 pm to discuss proposed amendments to the Town's Zoning Bylaw. The public hearing will be held at the Library located at 738 Main Street, Bolton MA 01740.</p> <p>Doug Storey read the Hearing Notice and opened the Public Hearing.</p> <p>The following articles were discussed:</p> <p>8:30 pm Local Historic District (Sponsored by the Local Historic District (LHD) Study Committee) Iris Berdrow gave an overview and indicated of the surveys received all were in favor of the LHD. All new commercial construction goes to the LHD who refers it to the Design Advisory Team (DAT) and the LHD issues a Certificate of Appropriateness.</p> <p>Resident Neil Darcy of Oak Trail asked if renovations, demos or rehabs needed LHD review. For example what if a vinyl sided house needed repair. The response was that the LHD could make a decision and storm windows don't need review.</p> <p>Version 10 addressed emergencies and repairs and do not need to come before the LHD.</p> <p>Helene Demmer of 12 Deer Path Road asked about commercial review. Iris replied that the LHD doesn't exclude commercial and the LHD wants to make sure the DAT does the proper review. The DAT may be okay now but in the future may not be staffed with responsible people and the LHD would want final control.</p> <p>Resident Robert Czekanski asked if a property doesn't pass title 5 how will this effect stone walls. Iris responded that the LHD doesn't cover hardscapes.</p> <p>Resident of 392 Main street doesn't live in the Historic District but feels that 80% of the properties are historic in the LHD and supports the LHD article.</p> <p>8:40 pm Line of Sight (Sponsored by the Public Ways Safety Committee (PWSC)) An overview was given by Peter Ross of the PWSC</p> <p>8:50 pm Rezoning of Kane property (Citizen's Petition) Kathy Adams and Doug Deschenes were present and gave an overview. The project could consist of a 40-45,000 SF grocery, 12-13K pharmacy, 5-6K gas station and coffee shop. They cannot meet the 8% footprint coverage but can meet the 50% impervious surface requirement. There is a public water supply and easement behind the project and would be keeping the development on the already zoned business land and just using the residential component to meet the lot footprint requirement of 8%. They would also add land to the non conforming gas station to make it conforming.</p> <p>Chairman Doug Storey indicated concern about the property being zoned at the Hudson Road and 117 intersections. Kathy Adams indicated that they do not have any plans for redeveloping that property now but doesn't want to limit themselves in the future.</p> <p>Selectmen David Lindsay said he is comfortable to include the rear portion of the Kane's in the rezoning but not the parcel along Hudson Road/117.</p> <p>Randy Dinjian indicated that he was uncomfortable with rezoning but comfortable with the current zoned property being redeveloped.</p> <p>There was more discussion between the public and the applicant and Board.</p> <p>9:00 pm Recodification of the Zoning By-laws Pam Powell Town Clerk gave a quick overview</p> <p>The following are sponsored by the Planning Board. Doug Storey gave a quick overview of each article.</p> <p>9:10 – 9:15:  1) Amendment of Design Review Guidelines  2) Amendment of Use Table to include provisions for the Solar Bylaw  3) Amendment of the Town Base map to include the Village Overlay District</p> <p>9:15 – 9:30 pm Adoption of Solar Bylaw  9:30 – 10:00 pm Adoption of Village Overlay District</p> <p>Hearing continued for all the proposed bylaws to March 28, 2012.</p>

**Other Business**

Time	Description
	Approve Minutes

*Submitted by Jennifer Burney, Town Planner*