

TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall on **January 8, 2014** at 7:30 PM

Members Present: Jonathan Keep (Chair); Douglas Storey, John Karlon, David Yesue, Erik Neyland (Members); James Owen (Assoc. Member)

Also Present: Erica Uriarte (Town Planner), Dave Lindsay, Ted Kirchner, Gil and Janet Burns

Call to order: 7:33 PM

Douglas Storey entered meeting at 7:35 PM

Hearings: None

Business:

- ANR Berlin Road, Map. No. 2B Parcel No. 17 – Robert Pace, Sr. & Robert Pace, Jr. (Gentle Manor, LLC, Applicant)
 - o ANR to divide Map #2.B Parcel #17 into 4 lots.
 - o ANR Plan shows existing house, old foundation, and existing pond.
 - o Backland lot meets zoning requirements - 4.5 acres, greater than 50 ft. frontage, with at least 1.5 acres of contiguous land not in floodplain or wetland.
 - o Berlin Road is classified as a scenic road (requires maintenance of stone walls, trees etc.) but not pertinent to an ANR.
 - o **J. Karlon motioned to approve ANR Plan prepared by Guerard Survey Co. & Associate Inc., dated Dec 6, 2013, for Berlin Road – Map 2.B Parcel #17. D. Yesue 2nd. All in favor 5/0/0.**

- Northwoods Subdivision – Chuck Black (Kendall Homes, Inc., Applicant)
 - o Mr. Black stated that the As-Built Plans and Street Acceptance Plans for Drumlin Hill Road, Field Stone Way and Ledge Wood Circle prepared by Ducharme & Dillis had been reviewed and approved by Fred Hamwey.
 - **E. Uriarte to send an email to Mr. Black confirming whether or not the Planning Board provides the Street Acceptance Plans to the Board of Selectman for placement on Town Meeting Warrant.**
 - o Mr. Black stated Fred Hamwey and the Board approved to reduce the performance bond to 10% (~ \$8,200) at a past meeting. His understanding is that Fred Hamwey and the Board agreed that the performance bond could be reduced another 50% (~ \$4,100) when remaining items (to close the project) were completed.
 - o J. Keep inquired about the \$4,000 to be paid to the Pedestrian Mobility Fund. D. Storey noted this was to be paid at time of street acceptance as per the Modification to Definitive Subdivision Permit, 2009. Mr. Black agreed to pay money.
 - o E. Uriarte noted there was also a road acceptance fee to be paid in the amount of \$1,650 or \$3 per liner foot whichever greater. Mr. Black stated he would have Ducharme & Dillis review the road acceptance fee.
 - o J. Keep stated the performance bond would not be reduced at present due to the outstanding \$4,000 for the sidewalks and the street acceptance fee.
 - o **D. Storey motioned to approve the As-Built Plans and Street Acceptance Plans. J. Karlon 2nd. All in favor 5/0/0.**
 - **All site plans to be signed at a later meeting.**
 - o Mr. Black installed stop signs at the request of Police Chief Alfano. This included intersection of Warren Road and Drumlin Hill Road. Stop lines still to be painted.

- Medical Marijuana Bylaw Discussion
 - o Mr. Lindsay concerned with deadline for finalizing bylaw (Warrant Article due February 13th) and a potential gap in coverage between May 2014 and December 2014 if bylaw is not passed or

- moratorium is not extended. He suggested the possibility for a citizen's petition be presented at Town Meeting (deadline due on March 31st).
- o Debate between cultivation facilities versus dispensaries.
 - Mr. Lindsay suggested cultivation facilities be restricted to parcels greater than 25 acres.
 - E. Neyland concerned with including cultivation facilities in residential zoning.
 - J. Owen concerned with public safety.
 - o Discussion regarding setbacks and places for where children congregate.
 - Schools, playgrounds, scout camps, athletic fields, libraries, churches
 - Mr. Lindsay stated the Town of Concord has a 3,000 ft. setback. He suggested considering a similar setback for Bolton.
 - **Mr. Burns to contact Concord to find out if they have GIS mapping of their setbacks.**
 - o Mr. Kirchner concerned with odors. Consider providing odor control requirements in bylaw.
 - o **Mr. Lindsay to find out if a moratorium extension could be triggered if bylaw is not passed at Town Meeting.**
 - o Planning Board consensus to prepare/finalize a simple bylaw
 - Special Permit process - allow the Board the flexibility to provide a more rigorous permitting process and set project requirements.
 - 500 ft. setback from where children congregate.
 - Determine additional places to include in 500 ft. setback (i.e., scout camps, athletic fields, libraries, churches, etc.)
 - Establish that Medical Marijuana is not a right to farm use.

Administrative:

- Planning Board signed approved ANR Plan for 81 Oak Trail.
- Planning Board signed approved Modified Site Plan for Common Driveway on 283 Long Hill Road.
- Planning Board did not receive copies of 401 Harvard Road for signing. E. Uriarte to contact Brandon Ducharme.
- Planning Board signed off on approval of meeting minutes 12/11/13.
- E. Uriarte provided Planning Board with copy of EENF for Mass Central Rail Trail – Wayside Branch.
- Discussed Warrant Articles for May 2014 Town Meeting.
 - o E. Uriarte to finalize Amendments to the Code of the Town of Bolton - Chapter 250-27.1. Barn, Stable and Carriage House Preservation Bylaw.
 - J. Keep to send Town Counsel edits to E. Uriarte.
 - o E. Uriarte to finalize Street Acceptance for Northwoods Subdivision – Drumlin Hill Road, Ledge Wood Circle and Field Stone Way.
 - o E. Uriarte to finalize Adoption of FEMA Maps.
 - o D. Storey to finalize Medical Marijuana Bylaw.
 - o J. Keep removed Aquifer Protection Overlay District from Warrant.
 - o J. Keep to finalize Village Overlay District Bylaw.
 - Village Overlay Working Group meet on January 13th with property owners.

J. Karlon moved to adjourn Planning Board Meeting at 9:36 PM. D. Storey 2nd. All in favor 5/0/0.