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## TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall – Board of Selectmen’s Room on **March 26, 2014** at 7:30 PM

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

Also Present: Erica Uriarte (Town Planner), David Lindsay, Gil & Janet Burns, Mary Ciummo, Larry Delaney (Board of Selectmen), and Nan Shnitzler (The Bolton Independent)

Call to order: 7:32 PM

E. Neyland entered meeting at 7:34 PM

### Hearings:

- The Planning Board held a public hearing pursuant to Massachusetts General Laws Chapter 40A, Section 5, to consider and receive comments from interested parties concerning the Articles to appear on the Warrant of the Annual Town Meeting, which will be held on Monday, May 5, 2014. The Articles are summarized as follows:
  - o Article 7: Amendment to the Code of the Town of Bolton relative to the Barn, Stable and Carriage House Preservation Bylaw
    - J. Keep summarized Article 7 and opened meeting for public comment.
    - **D. Storey motioned to approve and endorse Article 7 to be passed at Town Meeting. J. Karlon 2<sup>nd</sup>. All in favor 4/0/0.**
  - o Article 8: Amendment to the Code of the Town of Bolton to amend Article V, Special Regulations, Section 250-27.1, Barn, Stable and Carriage House Preservation, Subsection B(2)
    - J. Keep summarized Article 8 and opened meeting for public comment.
    - **D. Storey motioned to approve and endorse Article 8 to be passed at Town Meeting. J. Karlon 2<sup>nd</sup>. All in favor 4/0/0.**
  - o Article 9: Amendment to the Code of the Town of Bolton, Article V, Special Regulations – to Add New Section 250-23.2, Mixed Use Village Overlay District Bylaw
    - J. Keep summarized Article 9 and opened meeting for public comment.
    - Planning Board provided MAPC renderings (potential before and after images) of the Village Overlay District for public review. These renderings were provided as a visual aid only.
    - Mr. Burns asked if Conservation Commission would continue to have jurisdiction over wetlands and that environmentally sensitive areas continue to be protected.
      - Planning Board responded saying the bylaw would have no impact another board’s jurisdiction. The regulatory process is the same.
    - Ms. Shnitzler asked if the current zoning could still be used.
      - Planning Board responded with yes.
    - Ms. Shnitzler asked if the housing component had to be located in the residential zone of a parcel and if the retail/commercial component had to be located in the business zone of a parcel.
      - Planning Board responded with no. The overlay district allows the developer to layout the mixed use anywhere on the property (with input from Planning Board, Board of Selectmen and Design Review Board).
    - Mr. Burns asked about the ratio between residential and retail.
      - Planning Board stated that the site would need to be balanced between residential and retail. The Planning Board and Design Review Board would have input during the design phase.
    - Mr. Lindsey asked about whom pays for hiring consultants to review projects.
      - Planning Board stated that it would likely be the developer, but could be the Town.
    - Mr. Lindsey commented on the future development of strip malls and big box stores.
      - Planning Board responded saying big box stores are allowed under current zoning as well.

- Ms. Shnitzler was concerned with traffic along Main Street and the lack of pedestrian mobility.
- **D. Storey motioned to approve and endorse Article 9 to be passed at Town Meeting. E. Neyland 2<sup>nd</sup>. All in favor 4/0/0.**
- **D. Storey motioned to recommend Ken troop to make presentation of Article 9 at Town Meeting and for Village Overlay Working Group to co-sponsor the article. 2<sup>nd</sup> by E. Neyland. All in favor 4/0/0.**
- Article 10: Adoption of Maps Issued by the Federal Emergency Management Agency
- Article 11: Amendment to the Code of the Town of Bolton to amend Article V, Special Regulations, Section 250-22, Floodplain District, Subsection A
- Article 12: Amendment to the Code of the Town of Bolton to amend Article V, Special Regulations, Section 250-22, Floodplain District, Subsections B(2) and C(1)(a)
  - J. Keep summarized Articles 10, 11 and 12 and opened meeting for public comment.
  - J. Karlon asked about the date of the FEMA maps and study.
    - Mr. Delaney clarified that July 16, 2014 is the effective date of the maps and study.
  - **D. Storey motioned to approve and endorse Articles 10, 11 and 12 to be passed at Town Meeting. 2<sup>nd</sup> by J. Karlon all in favor 4/0/0.**
- Article 13: Amendment to the Code of the Town of Bolton, Article V, Special Regulations – to Add New Section 250-23.1, Medical Marijuana Treatment Centers Bylaw
- Article 14: Amendment to the Code of the Town of Bolton, Article VI, Definitions, Section 250-28, Terms Defined – to Add Definition of Medical Marijuana Treatment Center
- Article 15: Amendment to the Code of the Town of Bolton, Article III, Zoning District Regulations, Section 250-12, Schedule of permitted uses – to Add Medical Marijuana Treatment Centers as a Permitted Use by Special Permit
  - D. Storey summarized Articles 13, 14 and 15 and opened meeting for public comment.
  - Mr. Lindsey concerned with residential setback with Cobham and Bolton Woods Way.
  - E. Neyland asked about “abutters standing” to file a complaint/concern.
    - Abutters 300 feet or more from property line could claim standing.
  - **J. Karlon motioned to approve and recommend Articles 13, 14 and 15 to be passed at Town Meeting. 2<sup>nd</sup> by E. Neyland. All in favor 4/0/0.**
- Article 16: Temporary Moratorium on Medical Marijuana Treatment Facilities
  - **D. Storey motioned to approve and recommend that if Articles 13, 14, and 15 do not pass at Town Meeting then Article 16 be brought forward at Town Meeting. 2<sup>nd</sup> by J. Karlon. All in favor 4/0/0.**
- Article 17: Amendment to the Code of the Town of Bolton, Article V. Dogs and Kennels – to Add New Section 250-27.3 Special Permit for Kennels
- Article 18: Amendment to the Code of the Town of Bolton, Article III, Zoning District Regulations, Section 250-12, Schedule of Permitted Uses – to Add Kennels as a Permitted Use by Special Permit
  - J. Keep summarized Articles 17 and 18 and opened meeting for public comment.
  - Planning Board had several questions regarding the bylaw.
    - Will kennels be required to renew their Special Permit every 24 months?
    - Will existing kennels be grandfathered or will they be required to obtain a Special Permit?
    - What is sufficient area for keeping of dogs?
    - What defines a kennel?
  - Planning Board noted that the bylaw was generated by the Town Clerk, Building Inspector and prior Town Planner.
  - **E. Uriarte will follow up with Town Clerk regarding questions.**
  - **Planning Board will table Articles 17 and 18 until additional information is received from the Town Clerk.**
- Article 19: Acceptance of Drumlin Hill Road, Ledge Wood Circle and Field Stone Way
  - J. Keep summarized Articles 19 and opened meeting for public comment.

- Planning Board discussed street acceptance fee and lighting.
- **Planning Board will table Article 19 until street acceptance fee is known.**
- Article 20: Pedestrian Mobility Fund
  - J. Keep summarized Articles 20 and opened meeting for public comment.
  - **D. Storey motioned to approve and endorse Article 20 to be passed at Town Meeting. 2<sup>nd</sup> by J. Karlon. All in favor 4/0/0.**
- **J. Karlon motioned to close hearing. 2<sup>nd</sup> by E. Neyland. All in favor 4/0/0.**

**Business:**

- Planning Board reviewed Design Review Board Rules and Regulations.

**Administrative:**

- Planning Board to approve meeting minutes at next meeting.
- Planning Board discussed scheduling joint meeting with Conservation Commission.
  - Agreed to schedule meeting in June after Town Meeting.

**J. Karlon moved to adjourn the Planning Board meeting at 9:33 PM. 2<sup>nd</sup> by E. Neyland. All in favor 4/0/0.**