



The Bolton Independent

BOLTON LETTERS: p. 7
Annual Town Warrant inside!

Priorities pondered for proposed office park apartments

by Nan Shnitzler

At their remote Zoom meeting April 7, Select Board members discussed a list of requests from residents and Town boards and committees that could be included in the comprehensive permit for Alta Nashoba Valley, the large 40B apartment complex being proposed by developer Wood Partners at 580 Main St. (Bolton Office Park). Town Administrator Don Lowe said the purpose of the discussion was to get a feel for the Board's priorities, in order to flesh out the detail on those particular items for further discussion April 28. It won't be realistic to achieve the entire list, Lowe added.

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Preparations for May 2 Town Meeting heard at Select Board

by Nan Shnitzler

Among the discussion items at the April 7 Bolton Select Board meeting were preparations for Town Meeting, permit fee increases, possible state funding increases and potential changes at Nashoba Valley Winery.

Town Meeting preparations heard

Town Moderator Doug Storey talked to the Select Board about Annual Town Meeting preparations. He said given the short warrant, turnout was not likely to be excessive, thereby allowing space for distanced seating in the high school auditorium, Town Meeting's sole venue this year. He talked about a section for masked voters, while acknowledging mask-wearing was now a personal choice. He said attendees deserve to feel safe, but he didn't say a separate section would be necessary. Storey added that the town had received 300 grant-funded remote vote-counting devices whose use would be faster than visually counting raised hands. He hoped training on the devices would be finished in time to use them in action. Town Meeting is May 2 at 7 p.m.

Building fees to increase

The Select Board voted to approve increases to the building department's

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If you wondered what happened to the large sign in front of 626 Main St., these photos show the aftermath of an accident that occurred there on Friday, April 15 shortly before midnight. Police reported a car traveling on Main St. crossed the yellow lines and collided with another vehicle, and continued traveling, hitting the sign and finally stopping. More details of the accident in the Bolton Police log on page 17.

Photos Courtesy Bolton Police Department



Results of well-water testing in Bolton

BoH moves to require well testing

by Ann Needle

Bolton's participation in a well-water testing program is helping propel a push to bring cleaner drinking water to more households across the state and in Bolton itself, as the Bolton Board of Health looks to implement well-water testing requirements.

Last year, the Health Foundation of Central Massachusetts (THFCM) partnered with RCAP Solutions, which conducted free testing of about 40 wells for natural and man-made contaminants in each of six area towns, including Bolton. This North Central Mass. Private Well Program tested wells for high levels of certain contaminants in Berlin, Boxborough, Hubbardston, Princeton, Sterling and Bolton. According to THFCM President and CEO Amie Shei, Ph.D., RCAP did not test for PFAS, given the recent public campaign on rooting out the compounds.

Some Good News for Bolton

Test results turned up some good

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Candidate's residency questions addressed

By Lynda King

Questions were raised at the April 5 Bolton Candidates Night about the residency status of one of the two competing Select Board candidates.

At the event, which was both livestreamed and later broadcast on Bolton Access TV, Select Board candidates Alan DiPietro and Emily Winner answered questions from the audience about their candidacy. A question posed by Wheeler Road resident Kate Buyuk addressed DiPietro's legal residency in Bolton and therefore his qualifications to run for the open Select Board seat.

Buyuk said she had researched assessor's records and found that the five lots DiPietro purports to own in Bolton are listed as land only, with no buildings on them or permits having been issued for any buildings. Those records are publicly available on the town of Bolton website. She asked, "Where do you sleep at night? Where do you reside?" DiPietro answered that he lives at 110 Teele Rd. in Bolton, adding, "That's where I sleep; that's where I reside," noting that as a registered voter in Bolton he is eligible to run for Select Board member.

According to Town Clerk Pam Powell, DiPietro submitted his voter registration form in October 2020, giving his address as 110 Teele Rd. However, she said, after consulting with the Bolton officials responsible for assigning legal addresses (Building Department, Fire Department), she confirmed that 110 Teele Rd. was not a legal address, and upon advice from the Secretary of the Commonwealth's office, she assigned the number "0" Teele Rd. to DiPietro's voter registration.

For clarification on this issue, the Independent reached out to Debra O'Malley.

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Nashoba news and sports, Bolton calendar of events, letters, classified ads, Bolton pics can all be found throughout the paper.

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Bolton Town Election is Monday, May 9

Polls at Nashoba High auditorium open noon - 8 p.m.

Bolton Select Board candidates... from previous page

because some extremely loud special interests demand it? Who and what is the "Town" constantly litigating against? Is it your neighbors? How would you find out? Inquires to town hall are answered with a simple statement "we cannot discuss ongoing litigation". Can we change any of that? I will, at least about my personal situation. Please visit my farm website to learn more. <https://nashowaytrailalpacas.com/blog/> or email me: 110teelroad@gmail.com

Winner: I am not aware of any current issues, however, should the situation arise, I would certainly recuse myself from a vote due to a conflict of interest.

Question 4: What do you see as the top priority for the Bolton Select Board and how would you/your skill set help address it?

DiPietro: As a farmer and an engineer, functional real-world solutions concern me most. When did the bylaws become unerring unchangeable bible? How do we reconcile the contradictions within? Agricultural Commission Mission Statement: "Provide a resource for resolution of conflicts with abutters and Town Agencies". Why are offers to mediate declined by outside Town Counsel in favor of litigation that costs the residents and only enriches the lawyers. I'd like to see the Agricultural Commission strengthened. Instead of being an advisory board that need not be consulted, I believe any town issues relating to agriculture should have mandatory input from the Ag Com. I will work for a Town operated CSA on some of our conservation land. In fact, some land should be put under the control of the Agricultural Commission instead of having everything under Conservation Commission's control. I have found that the Cons Com is not very supportive of Agriculture, with their sole focus on Wetlands and their bloated definition thereof. All of which is preempted by the State Wetlands Protection Act and MGL 40a sec 3, but not acknowledged. Bolton's claim of Right to Farm rings a little hollow these days!

Winner: The top priority for the Bolton Select Board should always be to represent all citizens of Bolton when possible. For all issues of consideration, it is important to understand the objective, research and gather information, and have a solid understanding of the process. In addition, it is imperative to understand the needs and challenges of our town departments, boards, and committees. I have been actively involved in our town through various volunteer opportunities. I have served on town boards and committees; and I have 12 years of commercial construction experience. Since making the decision to run for the open seat on the Select Board, I have been actively talking with community members, town employees, and members of boards and committees to learn more about the needs of our town and to identify priority issues.

Concluding remarks:

DiPietro: I hope things get better with the economy but issues in the Ukraine, and Russia threatening to shut off the gas to the EU, will make problems for us here. Let's get some relief from the towns onerous and combative permitting processes. There should be more visibility and certainly some leniency from the optional policy of withholding permits when back taxes are owed. It makes it very difficult for those who are already having financial troubles to actually pay those back taxes. Mediation instead of litigation would save everyone money. A strengthened Agricultural Commission can also help us with our affordable housing issues. The Farm Open Space Development, already part of the bylaws, can be promoted and led by an empowered Ag Com. Friendly, streamlined, comprehensive, and coordinated permitting might just create friendly 40B's. The State specifies the exemption level for 40B and until the Town hits that number we will not be able to stop unfriendly 40B's. Just because you put "Farm" in the name of your subdivision does not make it so. It might be time to put some of our open space back into production. I'm ready and willing, are you?

Winner: I humbly ask for your vote on May 9, 2022 at the NRHS auditorium between the hours of 12:00 and 8:00. If you are unable to make it to the polls, please vote via absentee ballot which can be obtained by mail or email through the Town Clerk's Office at 978-779-2771 or townclerk@townofbolton.com.

Candidate residency addressed... from page 11

Director of Communications for the Secretary of the Commonwealth's office. She said, "Voters are permitted to register to vote wherever they sleep at night, even if that location does not have a traditional address. For instance, voters who are homeless may register at a shelter, but they may also register in a park where they most frequently sleep. In these cases, the town clerk will label the location with an address for voting purposes, so that the voter can have an address to have on the voter list." She said that, although there was no specific statute about this, much of the law relating to residency for voting purposes has been established by case law.

At Candidates' Night, Buyuk pursued the question of DiPietro's residency, stating that the land he says he owns in Bolton had been seized by the town for nonpayment of taxes. She alleged, "...You have not paid real estate taxes for years, and there is a judgment against you for \$70,000, in addition to other judgments against you by other creditors."

DiPietro acknowledged that he had been unable to pay his taxes and said he has been trying to work with the town on an arrangement that would help him to do so. He said, "I intend to pay those taxes."

According to Town Administrator Don Lowe, DiPietro is no longer the legal owner of the lots on Teelc Road. "The town of Bolton owns those properties," he said, noting that on Dec. 14, 2021, the Land Court Judge issued a judgement giving ownership of the five parcels to the Town of Bolton. That judgement, along with others, is filed in the Worcester County Registry of Deeds and is publicly available. Lowe added that on April 1, 2022, a Sheriff's Constable had served DiPietro with an eviction notice.

Powell told the Independent that, regardless of the ownership status of the properties in question, DiPietro's voter registration status would remain unchanged unless he initiates action to change it, such as registering to vote in another town.

Bolton Office Park apartments... from page 11

Lowe said the Board's opinion would be important to the Zoning Board of Appeals as it continues its public hearing for the comprehensive permit, which will allow the project to move forward. ZBA Chair Gerard Ahearn said if the Select Board needed information or funding from the applicant about a particular item, they should "peg that priority" because the window would close once the decision is drafted, and the deadline is getting close.

The list was divided into categories. Items related to open space and recreation include access to the community garden and recreational fields, improvements to Derby Field behind Florence Sawyer School, and a new playground.

Infrastructure items include reconstructing the culvert bridge to the septic field for emergency and septic service vehicles, more sidewalks, more parking for the senior center, and parking for a "park & ride" or shuttle stop.

Included under transportation are a corridor study of Route 117, an intersection study of Route 117 and Wataquadock Hill Road (offered by the applicant), a pedestrian and bicycle easement over the existing cart path to the future Town Center Trail Loop, and emergency vehicle access over the existing cart path. Two additional items are a stipend for 18 months' worth of inspections and an air quality study at Bolton Country Manor.

The discussion focused on the playing fields and community garden in the backlands between the office park and the school. Access and parking is restricted there due to wetlands and to the buffer zones around existing and new wetlands. It is not clear who might be responsible for relocating those activities if that becomes the eventual outcome. Select Board member Stan Wysocki said it would be up to the town; Board Chair Bob Czekanski wondered who exactly.

Select Board member Jonathan Keep said it would be helpful to have plans or schematics relating to access, parking and relocating activities.

"These are big, important questions," Keep said.

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BOLTON CONSERVATION COMMISSION NOTICE OF PUBLIC MEETING

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, and under the provisions of M.G.L. Chapter 131, Section 40 (Wetlands Protection Act) and under the Bolton Wetland Bylaw Chapter 233, this public hearing of the Bolton Conservation Commission is being conducted via remote participation.

This public hearing to consider the Notices of Intent for a proposed construction of new trail crossings to replace 7 footbridges through Vaughn Hills Conservation Area. No in person attendance of members of the public will be permitted, but the public can listen and/or view this meeting while in progress by accessing Zoom platform, instructions may be found on the Town of Bolton website on the agenda posted for Tuesday, May 3rd 2022 meeting of the Conservation Commission. The public hearing is scheduled for 7:30pm on Tuesday, May 3rd 2022 via Zoom. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by utilizing the chat everyone or raise hand functions at which time participants will wait until the Chair acknowledges your request for public comment.

Any person interested or wishing to be heard on the proposed plan, should appear at the time and place designated.

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This public hearing to consider the Notice of Intent for a proposed construction of a new trail crossing to replace an existing footbridge through Vinger-Venable Conservation Area. No in person attendance of members of the public will be permitted, but the public can listen and/or view this meeting while in progress by accessing Zoom platform, instructions may be found on the Town of Bolton website on the agenda posted for Tuesday, May 3rd 2022 meeting of the Conservation Commission. The public hearing is scheduled for 7:45pm on Tuesday, May 3rd 2022 via Zoom. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by utilizing the chat everyone or raise hand functions at which time participants will wait until the Chair acknowledges your request for public comment.

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