

**SUTTON PLANNING BOARD**  
**Meeting Minutes**  
**September 11, 2023**

Approved \_\_\_\_\_



\*Note- This meeting was held in person and remotely via Zoom in accordance with recently renewed legislation. The Chair read a notice regarding the hybrid meeting format. (see end of minutes)

Present in person: W. Talcott, R. Largess Jr., W. Baker, M. Gagan

Present remotely: E. McCallum (Associate)

Absent: S. Paul

Staff: J. Hager, Community Development Director (CDD)

The Chair noted E. McCallum was acting as a full voting member in the absence of S. Paul.

**Public Hearings**

90 Armsby Road – Flood Plain Special Permit

M. Gagan read the hearing notice as it appeared in The Chronicle.

Margaret Bacon of Civil Site Engineering was present with applicant Matthew Kaliszewski to request a Flood Plain District Special Permit. M. Kaliszewski will be locating his garage within the Zone A Flood Plain. The lowest level of the garage will have louvers so water can flow through the structure in the event of flooding.

M. Bacon explained they have permitted the project through Conservation Commission. She stated they evaluated the watershed that flows to the low point of a culvert near this project. They considered the elevation of the nearby road, the elevation of the proposed garage and the amount of flood plain that was being altered. Approximately 320 c.f. of flood plain will be filled and 720 s.f. of impervious will be established. M. Kaliszewski noted a good deal of this area already has broken pavement from its former use. The Board found the changes were minimal.

There were no public comments.

Motion: To grant a Special Permit for 320 s.f. of fill and 720 s.f. of impervious within the Zone A Flood Plain, R. Largess Jr.

2<sup>nd</sup>: W. Baker

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Motion: To close the public hearing, M. Gagan

2<sup>nd</sup>: W. Baker

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

27 Worcester Providence Turnpike – Drake Petroleum - Site Plan and Route 146 Special Permit

M. Gagan read the hearing notice as it appeared in The Chronicle.

Drew Garvin of Bohler Engineering and Kevin Doyle of Global Partners presented a proposal to expand the high speed diesel capabilities at 27 Worcester Providence Turnpike by adding three additional fueling locations to the south of the existing developed site. They will maintain the two existing diesel fueling locations. No changes are proposed to the convenience store and Dunkin Donuts at this location.

R. Largess Jr. reviewed comments received. The applicant is also before the Conservation Commission as their project is altering land within the buffer area to a wetland. The Fire Department stated the applicant will need to get updated permits. The Town of Millbury noted the addition of these diesel fueling positions should be considered in the regional study of the Route 146 corridor. J. Hager also provided a full review with numerous comments.

The Chair noted and the applicant confirmed these additions are likely in response to the significant number of planned and permitted distribution facilities along the Route 146 corridor. In response to a question, K. Doyle stated they will not be adding additional electric fueling positions at this location at this time.

The applicant is required to provide written responses to all comments received, and will do so once they receive the initial review from the Town's consulting civil engineer, Graves Engineering.

There were no public comments.

Motion: To continue the hearing to September 25, 2023 at 7:15 PM, R. Largess Jr.

2<sup>nd</sup>: M. Gagan

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

#### Proposed Bylaw Changes (attached)

M. Gagan read the hearing notice as it appeared in The Chronicle.

J. Hager reviewed each set of proposed bylaw changes. She noted the Board is required to provide a recommendation to Town Meeting on proposed articles.

Earth Removal Bylaw Housekeeping – Three articles – The first article fixes format issues and section references. The second article deletes earth removal definitions in the Zoning Bylaw and replaces them with those in the General Bylaw to be consistent within the Bylaws. The third article corrects the name of the use in the Table of Use Regulations and notes where regulations can be found.

Motion: To recommend that Town Meeting approve this article as written, R. Largess Jr.

2<sup>nd</sup>: M. Gagan

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Low Impact Development (LID) Bylaws – Two Articles – J. Hager explained the Town received District Local Technical Assistance (DLTA) funding from Central Massachusetts Regional Planning Commission (CMRPC) to review the Town's Zoning Bylaws, Subdivision Rules & regulations, and Stormwater Bylaws to see if we had or could integrate LID measures. LID measures use and/or mimic nature to prevent flooding, drought and degradation of water and other resources. They largely focus on Stormwater management but also include things like using native plants and controlling invasive species. The first article adds minimum LID provisions to Site Plan Review. If any provision is an issue on a particular site, the Board has the ability to waive/adjust the provision through the Site Plan waiver allowance. The Second article adds some LID provisions, but also corrects two longstanding issues related to counting landscaping along the edges of parking lots and providing for landscaping within parking lots while minimizing snow maintenance obstacles.

Motion: To recommend that Town Meeting approve this article as written,

2<sup>nd</sup>: R. Largess Jr.

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Sutton Center Village Overlay District (SCVOD) Modifications – One Article – The Board was approached by Keith Downer of 334 Boston Road who had spoken to several of his neighbors. They wanted their parcels included in the Sutton Center Village Overlay District. Their primary motivation was to preserve the historic architectural form and layout of their parcels. Being in the overlay also provides an opportunity to establish small scale commercial uses in accordance with the Sutton Center Overlay District Bylaw adopted by Town Meeting in 2019. The proposed expansion map and a copy of the bylaws was sent to all property owners within 1,000 of Sutton Center and two additional parties asked that their parcels be included.

Robert Nunnemacher of 24 Singletary Avenue noted Sutton is no longer a rural community, one of the only places this character remains is Sutton Center. He noted there have only been a few new structures built in the Center in the last 50 years. He noted additional uses that are allowed per the Bylaws within the district and asked what a tavern or pub would be like next door to you! He said this isn't the character of the Center and it should stay residential. J. Hager noted even though Mr. Downers house used to be one of several taverns within walking distance of the Town Hall historically, his intent in adding his property to the District was to preserve the historic form of his house, barn and property, not to re-open the tavern. She noted there are only a few permitted uses allowed in the overlay with Site Plan Review while most are Special Permits which can prohibit proposals that are not in concert with the Village Center. In response to a question from the Chair she confirmed multifamily structures were included by the group who put together the overlay district as several multifamily structures existing with the district. She stressed again that no changes are proposed to the language of the existing overlay bylaw, just adding parcels to the district.

M. Gagan weigh/balance a land owner's rights against those of abutters and the Town as a whole. Not just five Board members deciding, Town Meeting decides.

Dennis Robins of 4 Church Circuit said his mother-in-law Gladys Stewart wanted this/her parcel included in the District. J. Hager stated Town Counsel had advised that although within an overlay district you can include parcels that are not contiguous, he recommended that the Town try to keep extensions continuous to the existing district. The majority of the Board agreed that non-contiguous extensions of this particular type of overlay district should be discussed more and not be changed for this Town Meeting.

James Marran of 80 Burbank Road noted although his building at 314 Boston Road, Polly's Antiques that is in the existing district, but it isn't really a business. It is only open Saturdays for four hours, so it shouldn't be used as an example of what a business impact would look like as and how it would interact with the neighborhood. He noted the 6,000 s.f. allowance in addition to some of the uses allowed in the Overlay District would be about 2.5 times bigger than Brickstone which would be very impactful. With respect to the architectural requirements he said adaptive re-use should be required or you could have a building like Mr. Downer's that could be raised and something "like" it would be built. She stated the group considered adaptive re-use and discussion centered on a balance between individual property owner rights and the interest of the larger town so this provision didn't move forward. He asked if a large parcel was placed in the district and then divided if the resulting parcels would remain in the district. J. Hager stated they would remain in the District. She pointed out today this home could be raised and anything could be built. She noted adaptive re-use may be worth considering again but it can't be considered this Fall as part of this article. He asked if municipal parking is being considered for the Center.

J. Hager noted there is ongoing discussion about establishing municipal parking in the Center but that is the purview of the Select Board and this isn't a priority right now. She noted if any use was proposed on any of the Overlay District parcels now the owner would have to demonstrate how they can accommodate parking on their property or show how they will help the Town to move forward on public parking. She again stressed there was a yearlong process to establish the regulations for the Overlay District, but that no changes are being proposed to District regulations this Fall, only addition of parcels to the district.

Donna Rossio of 314D Boston Road said she largely agreed with Mr. Nunnemacher's comments. The existing district is perfect for the original intent. She felt expanding it out would open a Pandora's box and be a big mistake.

W. Talcott stated he would like to also add in 4 Church Circuit, but would prefer to also add in 2 Church Circuit if possible. He noted this could be done at Town Meeting is desired by Mr. Robins by amended motion.

Motion: To recommend that Town Meeting approve this article as written, M. Gagan

2<sup>nd</sup>: W. Baker

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Special Event Facilities – Two Articles – J. Hager reviewed the language of the bylaw in detail. Generally this proposed bylaw allows owners with at least 40 contiguous acres to apply for a Special Permit to become a Special Event Facility. The regulations are meant as a base that should apply to any parcel designated. The Special Permit process allows the Board to require additional parameters, or to even deny a permit if appropriate. The use is proposed to be added to the Rural Residential, Business Highway and Office Light Industrial Districts.

The intent of the individual who brought the idea forward to the Board was to provide a potential revenue source to large land owners that might encourage them to keep the parcel instead of selling out to a developer.

James Marran referring to his land at 53 Sibley Road which would be a Qualifying Parcel. He stated he isn't planning on doing a Special Event Facility. He noted he's noticed agricultural parcels that survive are those that manage to work in an experience. He is in favor of the proposed bylaw especially considering the open space value of this proposed use versus the same land becoming two cul-de-sacs with several homes. However, he stated it seems administratively very cumbersome with all the required permits, referencing all the additional permits required from the Board of Health and Select Board. She pointed out the intent is to require the same permits be obtained by these uses as is required from other existing businesses, like Pleasant Valley that host similar events. It will be up to the permitting authorities if they will issue annual permits or require one for each event, but this is not in the Planning Board's jurisdiction. W. Talcott noted people also can apply for a series of one day licenses as well. Mr. Marran also wondered if the cap of 125 people was the right number and those with more acreage should be allowed to host larger events. J. Hager noted this attendance cap came from the Shelburne bylaw, but it can be adjusted up or down over time, but this isn't where the Board felt comfortable to start. M. Gagan noted the intent of this provision was that no one would be there making noise too early or too late. There was a discussion about the set up and break down periods especially for tents and it was noted this is one area where the Special Permit process can consider the specifics of each site and how events will be run.

Christine Watkins of 65 McClellan Road asked if a neighbor could use this bylaw to restrict their neighbor from having family parties? The bylaw is clear in that is intended for uses outside the owners family, as a source of income.

Samantha Staebner, 102 Lower Gore Road, Webster, MA, also of Whittier's Farm, asked about the impact of the bylaw on Chapter land parcels. J. Hager explained with respect to land restricted under Agricultural Preservation Restriction (APR) the State can allow very occasional special permission for an isolated event, like a family wedding, but the business envisioned in this bylaw would not be allowed. With respect to Chapter 61 land restriction, R. Nunnemacher of the Board of Assessors has previously stated that its likely any portion of a property used for this use could not be restricted as Chapter land. Sam noted if we want to preserve land for agriculture/open spaces, the revenue potentially generated by this use will encourage it (which isn't strictly agricultural/open space) especially considering how little can be generated from agricultural or open space otherwise. J. Hager agreed but noted the intent is to give large parcel landowners another option/incentive to keep their land instead of selling it off for development.

Motion: To recommend that Town Meeting approve this article as written, R. Largess Jr.

2<sup>nd</sup>: M. Gagan

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Motion: To close the public hearing, M. Gagan

2<sup>nd</sup>: W. Baker

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Town Meeting is October 16, 2023 starting promptly at 7 PM in the Middle School/High School auditorium.

## **Action Items**

Form A Plans (division of land on existing roadways) - None

124 Providence Road – Dileo Gas 3<sup>rd</sup> Tank - Site Plan Waiver

Brian Sora of Dileo Gas was present to explain their plans to add one additional 30,000-gallon tank in front of the two existing tanks at 124 Providence Road. They went through a hearing with the Zoning Board of Appeals to place this tank partially within the front setback. They also went through Conservation Commission and have the approval of the Fire Department (M. Gagan read this letter). The area where the tank is going was already disturbed, so is preferred to disturbing additional land behind the exiting tanks closer to the wetlands. The main purpose of the additional tank is to lessen congestion at the site that occasionally causes stacking into the street by providing another fueling position.

Motion: To waive Site Plan Review and approve the addition of one additional 30,000 gallon propane tank to be located directly in front of the existing tanks at 124 Providence Road conditioned on approval of all other required State and local permits, R. Largess Jr.

2<sup>nd</sup>: W. Baker

Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

CMRPC Local Planning Assistance (LPA) - The Town receives 12 hours of planning assistance from the Central Massachusetts Regional Planning Commission each year. Because W. Baker is a member of the Executive Committee and other Board members also participate regularly in CMRPC meetings, the Town typically earns the maximum of an additional 12 hours of LPA. W. Baker noted it's important to get requests for assistance to CMRPC as early as possible to ensure there is time to schedule the work. J. Hager asked the Board for ideas. She noted the Chair has approved a few hours to undertake several mapping projects requested by various town departments. The Board suggested update of the sign bylaw, work regarding the Blackstone River and flood plains, trails, the Blackstone River Bikeway and the Mill 2 Park project in Manchaug.

### **Administrative Items**

Motion: To approve the minutes of 08/21/23, R. Largess Jr.  
2<sup>nd</sup>: W. Baker  
Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker – aye,  
E. McCallum - aye

Filings: 125 Burbank Road – Retreat Lot (hearing scheduled for 9/11)

Site Visit Reports: The Board acknowledged receipt of site visit reports from Unified Parkway and the Unified Building 2/3 sites.

Abutting Town Notices of Interest: None

Correspondence: None

### **Additional Board Business:**

CMRPC Delegate Snafu – The Board briefly discussed the three delegates the Town is allowed to send to CMRPC, two appointed by the Select Board and one by the Planning Board. Wally Baker was promoted to Executive Committee at CMRPC while he was a Delegate. You cannot be on the Executive Committee unless you are a Delegate. Therefore, the Town Manager is working with her to discuss this with the Select Board and decide what actions to take to retain Wally's participation and influence on the Executive Committee and also have Bill remain a Delegate as he is an active participant.

Motion: To adjourn, R. Largess Jr.  
2<sup>nd</sup>: W. Baker  
Vote: 5-0-0, R. Largess Jr. – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye.  
E. McCallum - aye

Adjourned 10:06 PM

### Covid Meeting Statement:

Pursuant to Governor Healy's March 29, 2023 Order extending the temporary provisions pertaining to the Open Meeting Law, this meeting of the Sutton Planning Board is in a hybrid format and is being recorded. The recording will be available on the Town's website and YouTube channel.

## ARTICLE

To see if the Town will vote to amend the General Bylaw - Bylaw #5 – Earth Removal as follows, or act or do anything in relation thereto.

1. Capitalize the word “Earth” and the phrase “Earth Removal” throughout the bylaw;
2. Amend Section 5.4 paragraph 2 by adding underlined text as follows;  
The Board shall distribute copies of the application to the Conservation Commission, Police Chief, Highway Superintendent, Fire Chief, Building Commissioner, Select Board and local utilities if proposed work is within their districts. Such officials may, within twenty-one days of distribution of the application, provide such comments as they deem appropriate; provided, however, that failure to provide such comments within said period shall not prevent the Board from thereafter acting on the application.
3. Section 5.5 d. change the word “petitioner” to “applicant”;
4. Section 5.5 i. change Section “5.7” to “5.8”;
5. Section 5.9 Renewals change section “5.4.b.” to “5.4”.

## ARTICLE

To see if the Town will vote to amend the Zoning Bylaw Section I.B. – Definitions, by deleting the strike through language and adding the underlined text, or act or do anything in relation thereto.

~~**Earth Removal:** Removing any form of soil, including without limitation, sod, loam, sand, gravel, clay, peat, hardpan, rock, quarried stone, or mineral product.~~

~~**Earth Removal, General:** Any earth removal not defined as subdivision or miscellaneous.~~

~~**Earth Removal, Miscellaneous:** That which is entirely incidental to construction for which a building permit has been issued, or that which is less than three hundred (300) cubic yards.~~

~~**Earth Removal, Subdivision:** That which is entirely incidental to road construction for an approved subdivision.~~

Earth Removal: Removing and/or disturbing earth via any number of means including but not limited to excavating, grading, digging, or blasting, whether or not the earth is removed from the subject lot.

Earth Removal Class 1: Commercial and High Volume: Any earth removal which is more than 3,000 cubic yards within a 12-month period, that is not otherwise defined as Class 2 or Class 3.

Earth Removal Class 2: Subdivision/Site Plan/Special Permit: Earth Removal which is entirely incidental, in the opinion of the Planning Board, to an approved subdivision, site plan, or special permit.

Earth Removal Class 3: Residential, Agricultural, and Low Volume: Earth removal which is entirely incidental, in the opinion of the Building Commissioner, to construction that is subject to an approved building permit for a single family home or agricultural building/operation; or that which is 3,000 cubic yards or less within a 12-month period.

**ARTICLE**

To see if the Town will vote to amend the Zoning Bylaw Section III.A. 4. Table 1, Section G. by deleting items 6. and 7. and replacing them with the following, or act to do anything in relation thereto.

	<b>R-1</b>	<b>R-2</b>	<b>V</b>	<b>B-2</b>	<b>I</b>	<b>OLI</b>
6. Earth disturbance and removal – Class 1, in accordance with Bylaw 5 of the Sutton General Bylaws	-	-	-	S*	S*	S*
7. Earth disturbance and removal – Class 2 & 3, in accordance with Bylaw 5 of the Sutton General Bylaws	P	P	P	P	P	P

## **ARTICLE**

To see if the Town will vote to amend Section IV.C. of the Zoning Bylaw – Site Plan Review, by adding the following sub-section and re-numbering the rest of the section as necessary, or act or do anything in relation thereto.

### **7. Low Impact Development (LID) Minimum Requirements**

LID practices are those that use or mimic natural processes primarily with respect to stormwater management. The increase in impervious areas due to development results in an increased burden on drainage systems, which result in increased flooding risks, reduced ground water and river base flows, and degraded water quality.

The following minimum LID requirements are required on all new development sites and re-development sites that involve earth disturbance over 5,000 s.f.

- a. Topsoil may not be removed from a development site. It must be stockpiled and re-used on the site. If excess topsoil remains after the previous portions of the site are finished, the applicant may remove the excess with the approval of the Planning Board and in compliance with the Town's Earth Disturbance and Removal Bylaw.
- b. Any top soil impacted/compacted during construction, must be rototilled prior to planting or other finish work.
- c. Roof drainage, generally considered clean, must be separated from parking lot and other drainage and used for irrigation, with the remainder being directly infiltrated back to the site.
- d. At least half of a site stormwater infrastructure must employ LID measures such as open drainage swales and basins, bio-filtration/rain gardens, permeable walkways, and green roofs. These elements may occupy up to 50% of yard setbacks. Applicants may claim a bonus for LID measures located outside of yard setbacks. The area of these elements may be multiplied by 2 when calculating the amount of open space and interior lot landscaping, as applicable, that has been provided.
- e. A minimum of 75% of plantings must be native. Plantings may not include any varieties considered invasive. If invasive species seed on site, they must be eradicated in a manner that does not threaten existing vegetation or water resources, nor risk transferring them to other sites.
- f. Underground infiltration or detention systems may not be used without demonstrating that they are the only feasible means of stormwater management.
- g. Pre-existing conditions for run-off including direction, volume, velocity, quality, and quantity must be documented and be mimicked as nearly as possible post development.

- h. For previously developed sites run-off direction, volumes, velocities, quality, and quantity shall be improved compared to existing conditions, and to the extent possible shall mimic a naturally vegetated pre-development site.

## ARTICLE

To see if the Town will vote to amend Zoning Bylaw section IV.B. Parking Regulations by deleting the strike through text and adding the underlined text as follows:

### a. Landscaping in Interior Areas

Landscaping ~~areas~~ shall be provided for interior parking areas so as to provide visual and climatic relief from broad expanses of pavement and to channelize and define logical areas for pedestrian and vehicle circulation.

1. Interior parking areas shall be deemed to be all parking areas and any adjacent potentially vegetated areas within 20', exclusive of ~~except~~ driveways providing access and egress to the development.
2. At least ~~five~~ ten percent (~~5~~10%) of the parking area shall be landscaped. These landscaped areas shall include trees sufficient to provide ~~some~~ shading of parking areas.
3. Interior landscaped areas shall consist of a continuous landscaped island between rows of parking that abut each other, and shall consist of a continuous landscaped area along the length of a row of parking when it abuts a building or setback line. These landscaped islands/areas shall be at least ten (10) feet in width. Islands of at least 100 s.f. shall also be provided at the end of rows of parking to define the row and to deter cut-across traffic movements. ~~be dispersed so as to define aisles and limit unbroken rows of parking to a maximum of one hundred (100) feet. Landscaping between rows of parking shall be at least eight (8) feet in width.~~
4. Applicants may claim a bonus when providing landscaping that also serves as an active stormwater element such as a bio-swale/rain-garden. The area of these landscape elements may be multiplied by 2 when calculating the interior landscaping that has been provided.

Sutton Center Village Overlay District – Expansion

**ARTICLE**

To see if the Town will vote to amend the Zoning Map by expanding the area of the Sutton Center Village Overlay District by adding properties identified on the map on file in the Office of Town Clerk entitled “Sutton Center Village Overlay District - Proposed Expansion – Fall 2023”, or act or do anything in relation thereto.



Sutton Center Village Overlay District - Proposed Expansion - Fall 2023

**ARTICLE**

To see if the Town will vote to amend Section VI. of the Zoning Bylaw – Special Regulations, by adding the following section, or act or do anything in relation thereto.

**Q. Special Event Facility****Purpose**

The purpose of this section is to encourage the preservation of agricultural and other larger parcels of land by allowing income generating events using the grounds and structures while also minimizing impact on abutting properties.

**Permitting**

Special Event Facilities shall only be allowed via Special Permit granted by the Planning Board in accordance with the provisions of this bylaw and the Special Permit procedures set forth in G.L. c. 40A.

**General Provisions:**

- a. Facilities shall only be allowed on a single property, or directly adjacent properties held in identical ownership, with a minimum of forty (40) acres (“Qualifying Property”). For purposes of this by law, a “facility” means any building or other improvement now or hereafter existing on a Qualifying Property, constructed and maintained by the owner pursuant to all laws and regulations.
- b. The owner of the Qualifying Property shall be responsible to supervise and control conduct at all events held on the Qualifying Property. No later than the last day of the first week of January and July of each year, the owner shall provide a list of each event anticipated to be held in the next six months, and a list of those events actually held in the prior six months. These lists shall be provided to the Planning Department, Select Board, and Board of Health. These lists shall include the type of event, number of attendees, staff, and whether food or alcohol was served, and what form of entertainment was provided, if any.
- c. Events shall be restricted to private events, not open to the general public at any time. Permitted types of events may include bridal showers, single day retreats, weddings, family gatherings and similar kinds of activities. No more than one (1) event shall be held on any calendar day.
- d. Persons present at events shall not exceed one hundred twenty-five (125) persons, including guests and staff supporting the event.
- e. The maximum number of events held annually shall be as follows.

Number of Attendees	Maximum Events Per Year
75-125 Persons	10 Events
25-74 Persons	20 Events
Less than 25 Persons	As determined by Planning Board during permitting

- f. For events utilizing a structure, occupancy shall not exceed the lesser of the maximum number of persons allowed at an event per this bylaw and the permitted maximum occupancy of a structure as determined by Town Officials.
- g. Events shall be held only within the hours of 9 AM to 9 PM. However, no event shall exceed 8 hours in duration. Event hours and duration exclude set-up and break-down, which are limited to 2 hours each.
- h. All events require on-site and off-street parking for all vehicles.

- i. Special Permits for this use shall be limited to three (3) years from the date of the approval. All operations shall cease immediately on this date if the applicant does not obtain a new Special Permit before this expiration.
- j. Those portions of the Qualifying Property that will be used for events, including parking, or other active parts of use shall be situated and conducted in a location which provides a substantial buffer to abutting properties and/or shall be screened with vegetation, fencing, sound walls, or the like as deemed necessary and appropriate by the Planning Board.
- k. If alcohol is to be served the appropriate license must be secured through the Select Board.
- l. If food is to be served the appropriate licenses and inspections must be secured through the Select Board and Board of Health.
- m. Adequate restroom facilities, including hand washing, and waste disposal must be provided and approved by the Board of Health.
- n. An entertainment license shall be secured as applicable from the Select Board.
- o. The property owner shall provide evidence of current liability insurance for the type of events to be held on the property.
- p. Special Event Facilities must comply with all other applicable State and local statutes, ordinances and regulations

## ARTICLE

To see if the Town will vote to amend the Zoning Bylaw Section III.A. 4. Table 1 – Table of Use Regulations, Section E. - Retail, Trade and Service Uses, by adding underscored text as follows:

	<b>R-1</b>	<b>R-2</b>	<b>V</b>	<b>B-2</b>	<b>I</b>	<b>OLI</b>
<u>23. Special Event Facility</u>	<u>S*</u>	=	=	<u>S*</u>	=	<u>S*</u>