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**TOWN OF BOLTON - PLANNING BOARD MINUTES**

Meeting Held at the Town Hall – Board of Selectmen’s Room on **February 10, 2016** at 7:30 PM

Members Present: Erik Neyland (Vice Chair), John Karlon, Jonathan Keep, and Danielle Spicer.

Also Present: Erica Uriarte (Town Planner), Public Ways Safety Committee, Fred Coon (Century Mill Estates)

Call to order: 8:05 PM

- Meeting called to order late due to fire at 718 Main Street (Cracker Barrel) causing traffic congestion on Route 117.

• Hearings

- The Planning Board held a public hearing pursuant to Massachusetts General Laws Chapter 40A, Section 5, on Wednesday, February 10, 2016 at 7:30 p.m. in the Town Hall, 663 Main Street, Bolton to consider and receive comments from interested parties concerning the Articles to appear on the Warrant of the Annual Town Meeting to be held on Monday, May 2, 2016. The Articles are summarized as follows:

- Article 1: Add new Subsection 250-23.G.(15) of Business, Commercial and Industrial Regulations to allow Design Review Board to review commercial building permit applications.
  - This bylaw amendment would allow the Planning Board the option of requesting the Design Review Board to review building permit applications submitted by existing developments with business, commercial or industrial uses to ensure compliance with Section 250-23.G Design review criteria in the Code of the Town of Bolton. The intention of this amendment would be to provide design review of major exterior renovations to commercial buildings that would not otherwise prompt site plan approval or modification to special permit.
  - **J. Karlon motioned for Planning Board to support and add Article 1 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 2: Add new Subsection 250-17.D. Public Way Access Permits.
  - This bylaw amendment establishes the requirement for a public way access permit for the alteration of public ways proposed by existing developments with business, commercial or industrial uses that would not otherwise be governed by a special permit in the Town of Bolton. Alteration to the public way may include a physical modification to an existing commercial driveway or the construction of a new commercial driveway. The Planning Board will be responsible for the issuance of public way access permits and will have the authority to impose conditions to facilitate safe and efficient pedestrian and traffic operations on adjacent public ways as well as to mitigate traffic impacts.
  - **J. Karlon motioned for Planning Board to support and add Article 2 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 3: Modify title of Section 250-17 to include Public Way Access Permits.
  - If the Town votes to approve Article 2 (public way access permits) then this article must also be approved in order to modify the title of Section 250-17 Driveways and parking to Section 250-17. Driveways, parking and public way access permits.
  - **J. Karlon motioned for Planning Board to support and add Article 3 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 4: Add new As-of-Right Solar Photovoltaic Renewable Energy Installations Overlay District.
  - This bylaw amendment allows for as-of-right siting for large-scale ground-mounted solar photovoltaic renewable energy installations in an overlay district identified on Bolton Assessor’s Map 5.A, as Parcel 11, Bolton Assessor’s Map 5.A, as Parcel 19 and Bolton Assessor’s Map 4.C, as Parcel 38. All three

properties are owned by the Town of Bolton. Parcel 5.A-11 is approximately 8 acres and was previously the Town's dump site on Forbush Mill Road. Parcel 5.A-19 is approximately 11 acres and is located adjacent to Parcel 5.A-11 on Forbush Mill Road. Parcel 4.C-38 is approximately 49 acres and is located off of Route 117 behind Bolton Office Park. This parcel extends to Route 495 adjacent to the existing cell tower and contains the Town's wastewater treatment facility. As-of-right siting allows for a ground-mounted solar project with a rated name plate capacity of 250 kW (DC) to be located within the overlay without having to apply for special permit through Planning Board. Site plan approval would still be required through the Board of Selectmen. The purpose of allowing for as-of-right siting for renewable energy generating facilities is to assist in meeting the criteria set forth by the Massachusetts Department of Energy Resources to apply for Green Community designation and grant program.

- **J. Karlon motioned for Planning Board to support and add Article 4 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 5: Amend Section 250-13.F.(1) and add Subsection 250-13.F.(4) of Dimensional Regulations to require a maximum building height for residential use.
  - This bylaw amendment is to set a maximum residential building height of 28 feet measured from the average ground elevation to the soffit of the structure. The soffit is considered the underside of the eaves from the outside wall to the outer edge of the roof. Currently there are no restrictions on building height for residential use. At the direction of the Bolton Fire Department, the maximum height is recommended at 28 feet in order to efficiently use the 30 foot ladder carried on the fire apparatus to access roofs and third story windows.
  - This article was recommended by the Fire Department.
  - Planning Board and E. Uriarte feel there needs to be further discussion with the Building Inspector and Fire Department in order to set an agreeable maximum residential building height.
  - E. Uriarte provided a written summary to the Board for surrounding town's maximum building heights. E. Uriarte found that many town's set their building height at 35 feet measured from average ground elevation to the mean height of the roof measured from the eaves to the ridge.
  - **J. Karlon motioned for Planning Board not to support and abstain from adding Article 5 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 6: Add new Subsection 250-23.E.(1)(j) of Business, Commercial and Industrial Regulations to require a Knox Box at commercial buildings with automatic fire alarm systems.
  - This bylaw amendment is to require a secure, tamper-proof storage box for keys and other access tools on all commercial, business and industrial structures that have an automatic fire alarm system to ensure access to the system by the Bolton Fire Department.
  - This article was recommended by the Fire Department.
  - **J. Karlon motioned for Planning Board to support and add Article 6 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Articles 7 & 8: Amend Section 250-17.B.(3)(a) and 250-17.B.(5)(a)[10] of Driveways and Parking to require recertification of driveway bridges to AASHTO standards.
  - These bylaw amendments are to ensure that single/shared/common driveway bridges meet current AASHTO standards to be able to handle the load from fire apparatuses and emergency vehicles.
  - This article was recommended by the Fire Department.
  - There are approximately five bridges located in Bolton on a single/shared/common driveway.

- Planning Board and E. Uriarte concerned with bringing forward an article that applies to a handful of residents.
- Planning Board would prefer to have the Fire Department send a letter to these residents notifying them that if their bridges are in disrepair that the Fire Department may not be able to gain access to their home in the event of an emergency.
  - E. Uriarte to follow up with the Fire Department regarding letter.
- **J. Karlon motioned for Planning Board not to support and abstain from adding Article 7 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- **J. Karlon motioned for Planning Board not to support and abstain from adding Article 8 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 9: Amend Section 250-27.L.(1)(a) of Inclusionary Housing to revise the fee-in-lieu-of-units.
  - This bylaw amendment is to provide flexibility in determining the fee amount associated with fee-in-lieu-of-units as part of Section 250-27 Inclusionary housing of the Code of the Town of Bolton. Inclusionary housing currently requires a fee-in-lieu-of \$200,000 per affordable housing unit. The Planning Board is seeking the flexibility to set this amount according to current market rate value for present and future projects.
  - Planning Board and E. Uriarte feel further research needs to be completed to ensure the calculation is appropriate for Bolton's affordable housing needs.
  - E. Uriarte provided a written summary of inclusionary zoning of surrounding towns to the Board. It appeared one of the common ways to calculate the fee was to subtract the sale price of the market rate unit from the sale price of the affordable unit multiplied by the number of affordable units (not to be built). E. Uriarte to discuss how to calculate the fee with the Mass Housing Partnership as well.
  - **J. Karlon motioned not to support and abstain from adding Article 9 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 10: Add 357 Main Street to the Mixed Use Village Overlay District.
  - This bylaw amendment would add 357 Main Street, Parcel 4.D-21, to the Mixed Use Village Overlay District. The owner of 357 Main Street is seeking the possibility to include residential use as part of the parcel's zoning. The property is currently zoned Limited Business where residential use is prohibited. The 15 acre premises has been vacant since 2008 and for sale since 2009. To encourage purchase and occupancy, the Planning Board, in working with the owner's realtor, agreed to support adding the parcel to the Mixed Use Village Overlay District to allow for a balanced combination of commercial and residential use. The property is offset from Main Street, relatively secluded and wooded, lending itself to residential use.
  - **J. Karlon motioned to support and add Article 10 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Article 11: Amend Section 250-12 Schedule of Permitted Uses for industrial uses to require Special Permit.
  - This bylaw amendment modifies the schedule of permitted uses for light manufacturing, research and development laboratories and bulk storage in the industrial zoning district from a "yes", meaning a permitted use, to a "SP", meaning a use allowed by special permit acted on by the Planning Board. Currently these uses require only site plan approval from the Board of Selectmen.

- **J. Karlon motioned to support and add Article 11 to the Warrant for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
    - Article 12: Update Bolton Zoning Map.
      - Update the Town of Bolton Zoning Map to include the As-of-Right Commercial Solar Photovoltaic Renewable Energy Installations Overlay District and to revise the Mixed Use Village Overlay District to include Parcel 4.D-21 (357 Main Street) that may be approved at this year's Town Meeting.
      - Town Counsel to weigh in whether or not edits to the map need to be completed prior to town meeting for approval.
      - E. Uriarte to obtain cost estimate for revisions to the map from Ducharme & Dillis Civil Design Group, Inc.
      - Planning Board noted that an "on the floor amendment" can occur in case one of the articles pertaining to updating the map does not pass.
      - **J. Karlon motioned to support and add Article 12 to the Warrant for ATM 2016 contingent upon Town Counsel's approval. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
  - **J. Karlon motioned to close the hearing related to the Planning Board Warrant Articles for ATM 2016. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Business
  - 8:15 p.m., Fred Coon, Century Mill Estates (CME) – Bond Reduction for Old Stone Circle.
    - F. Coon sought a \$6,000 bond reduction for completed drainage work (Basins 9C & 9D) on Old Stone Circle.
    - Planning Board reviewed the list of priority items to be completed at CME. The majority of the items related to pavement and concrete work that will need to be completed in the spring.
    - F. Coon to install construction entrances at staging areas to reduce the sediment loading on the subdivision roads. E. Uriarte recommends this be completed as soon as possible prior to the Board approving any further requests beyond the bond reduction.
    - **J. Karlon motioned to reduce the bond held for Old Stone Circle at CME by \$6,000. Current bond is \$246,930 and the reduced bond is \$240,930. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**
- Administrative
  - Planning Board discussed sidewalks at Craftsman Village at Brigham Farm.
 

Planning Board seeks to open dialogue between the owners of Craftsman Village and Bolton Corners to facilitate pedestrian access between the developments.

    - Possibilities include a trail or path extending between the developments through the wooded area or sidewalk along Sugar Road to Route 117. There is also a gas line easement that leads to the Town Hall and Houghton Farm.
  - Planning Board would like to meet with Dr. David, Fred Freidus and Mark O'Hagan to discuss potential pedestrian access.
    - **E. Uriarte to schedule meeting with owners and the Planning Board to review the possibility of pedestrian access.**
  - Planning Board discussed updating Bolton's Master Plan.
    - The Board completed a cursory review of items to be completed related to the Master Plan. E. Uriarte to determine in detail which items have been completed, not completed or are no longer relevant.
    - Planning Board will need to determine level of plan updates.
  - Update on the Green Community Initiative.
    - DOER will be presenting the Green Community criteria and the Stretch Code to the residents at a meeting scheduled for March 8<sup>th</sup> at the Bolton Public Library. Planning

Board agreed to attend to show support of the initiative and to learn more about the Stretch Code.

**J. Karlon moved to adjourn the Planning Board meeting at 9:35 PM. 2<sup>nd</sup> by J. Keep. All in favor 4/0/0.**