

BOLTON PLANNING BOARD
Minutes of Meeting
June 14, 2006 at 7:00 P.M.
Bolton Town Hall

Present: Larry Delaney, Stephen Garner, John Karlon, Douglas Storey, Nat Tipton (Town Planner)

DISCUSSION

1. Mixed-Use Development Discussion

Present: Mark Racicot, Manager of Government Services, Metropolitan Area Planning Commission

Tipton introduced Racicot. Racicot explained that MAPC provides services to its member towns that help them decide for themselves what styles of mixed use development should be encouraged. Many towns in the MAGIC subregion have expressed interest in promoting mixed use development. MAPC uses a visual preference poll in community meetings to help town achieve acceptable mixed use development. The process used first shows pictures to residents of mixed use projects around the state. The residents essentially rate the look of the project after learning about its context in the community. This exercise allows the town to determine acceptable components of mixed use development. Racicot stressed the fact that mixed use development is nothing new; in fact traditional development patterns from the 1800s and early 1900s utilized a mix of commercial and residential uses in a single building or area. Traditional zoning bylaws attempted to separate these uses.

Racicot outlined two projects where the visual preference polling process was used in Bedford and Stow. The Depot area of Bedford was identified by the town as an area for mixed use redevelopment. The area is at the end of the Minuteman Bike Trail where retail is not allowed. The town hired MAPC to develop a mixed use bylaw for the area in conjunction with residents. Stow also used the polling process to work to develop acceptable mixed use zoning for the Gleasondale section of town. The process can be used to set maximum heights of buildings, articulating facades, roof pitch, and improving how the residential and commercial aspects complement one another. Establishing goals to structure the mixed use district is the first step. What does the town hope to achieve in establishing a mixed use area? Adding diversity in housing stock, establishing a walkable village setting, and providing a gateway for the town are examples of these goals. Determining incentives and requirements to meet these goals is the next step. The use of overlay zoning allows additional uses in a particular area in addition to the underlying zoning. When done properly, it can maximize town control, provide incentives to developers to build the type of development the town wants, and provide desirable alternatives to traditional development. Racicot recommended setting a positive tone and scope in regulations and/or bylaws that state what the town wants, rather than only focusing on what the town does not want. Additional materials can be found on MAPC's website.

Ken Swanton of the Master Planning Committee asked how a town like Bolton could move towards this development pattern without public water or sewer. Racicot responded that this makes it difficult and requires creativity. Curt Plante expressed concern that the retail components of such projects are market driven and could be difficult to maintain consistent tenants. The key to a successful project would be to provide amenities and attractions to help maintain occupancy. Garner suggested that a study of occupancy rates in mixed use developments would help determine what conditions help facilitate mixed use development. Martha Remington pointed out the extent to which the success of mixed use projects depended on access to public transportation, as Bolton does not have public transportation. Racicot agreed.

2. Limited Business Special Permit – Great Brook Farms

Present: Bruce Slater

Tipton explained that he sent a letter to Bruce Slater at the Board's request that recommended an application to the Board for a special permit. The Great Brook farm property was rezoned from Residential to Limited Business at the Special Town Meeting in November 2005. Their business had only been able to operate under a provision in MGL Chapter 40A Section 3 that prohibits a municipality from using zoning to regulate agricultural business where at least 50% of the items sold are grown onsite during harvest season. Therefore, the onus was on the owners to prove to the Board of Selectmen every year that they met this threshold. With the zoning change, they could apply for a Limited Business Special Permit if they wished. This would require the Board to make the findings that the existing business meets all of the findings under the bylaw. Under the special permit, their operation would be compliant with existing zoning and would not need to show they met the 50% threshold each year.

Slater expressed his interest in applying for the special permit rather than relying on the Section 3 exemption. The Board encouraged him to apply by writing a statement of what his business sells at this point in time to establish a baseline. There may be additional items the Board would need to issue the permit.

3. Vinger Special Permits – Backland Lot and Common Driveway

Tipton explained that the Board of Selectmen have asked the Planning Board for their opinion on whether relocating an access easement to Town owned land (shown as Lot 1 on the approved backland lot plan) off Berlin Road would impinge or affect regulations set forth in prior permits issued by the Planning Board. The Conservation Commission has been working with landowners to site a trail to abutting conservation land. Tipton stated that he felt after reviewing the Common Driveway and Backland Lot plans that the proposed relocation would not impinge on the Planning Board permits. Tipton showed the plans to the Board and provided copies of the decision to the Board. After reviewing the documents, the Board reached the conclusion that the proposed relocation of the trail easement would not affect the previous conditions of the special permits.