

BOLTON PLANNING BOARD
Minutes of Meeting
September 13, 2006 at 7:30 P.M.
Bolton Town Hall

Present: Larry Delaney, John Karlon, Frank Lazgin, Douglas Storey, Nat Tipton (Town Planner)

NEWS AND ANNOUNCEMENTS

1. MAPC Meeting/CPTC Workshops

Tipton announced coming events of interest to the Board. The September 14, 2006 MAPC meeting in Hudson (topics were the Hudson RiverVisions project, and an update on Chapter 43D Expedited Permitting bill recently signed by the Governor) and the workshops being held by UMass Citizens Planners Training Collaborative in the fall).

APPROVAL NOT REQUIRED PLAN

2. Ron Melanson – Spectacle Hill Road

Melanson submitted an Approval Not Required plan to the Board. The plan showed a land swap of 241 square feet of land between Mr. Melanson and his neighbor Arthur West. Melanson stated Mr. West was both aware of and approved of the proposed swap. The plan does not create any new building lots. The Board voted to endorse the plan “Plan of Land in Bolton MA” dated 5/22/06 prepared for Ron Melanson by Protec Engineering, Northboro MA on the condition that Mr. Melanson return a signed copy of the application by Mr. West.

Mr. Melanson also asked the Board what would be required to split a building lot off from the Federated Church lot to construct a home for the minister. Delaney recalled a backland lot had already been split off in 2000, although it appears the decision and plan was not recorded at the Registry of Deeds.

DISCUSSION

3. Century Mill Estates

Present: Andy Bendetson, Meredith West (Freeman Law Group)

Tipton explained he received word from West that they were planning to submit their definitive subdivision application on Monday, September 18. The plan as he understood from West was going to be seeking 63 lots. West asked the Board if they had an associate member. Delaney responded they did not. West asked the Board whether Mark Giunta, a former Planning Board member who is familiar with the project from his previous work on the Board, could participate in the hearing. Delaney responded that associate members are only authorized to vote on special permit applications, not subdivision applications. Given that one of the Board members is an abutter to the proposed project, only four members of the Board could vote. Bendetson stated he felt this was unfair as he would not have a full board to hear his project. The Board would contact Giunta to see if he would like to attend. The Board would actively search for an associate member in the meantime. The applicant’s earlier request to seek opinion from the Zoning Enforcement Officer on whether the 2001 Rate of Development bylaw would be enforced was tentatively scheduled for the Board of Selectmen’s meeting on October 4, 2006. The applicant also sent a letter to the ZEO offering they would voluntarily limit the amount of units to be built in a year to 20 units, if the town agreed not to enforce the 2001 Rate of Development bylaw.

4. Master Plan

Present: Ken Swanton, Brad Reed (Master Planning Committee); Curt Plante, Panny Gerken, Ken Troup (Board of Selectmen)

In order for a Master Plan to be passed by a municipality and have the plan recognized by the state, the Planning Board must issue a majority vote accepting the plan per Chapter 41 Section 81D. Storey stated

he felt the argument that saving open space will save the town money over the long run is presented in overly simplistic terms and is faulty. He suggested the town hire an economic consultant to study the issue. Plante stated the rise in taxes in town was due to purchases in the last ten years. Reed disagreed, stating the rise in taxes was due to funding schools. The high percentage of growth was also cited. Delaney agreed the percentage of growth was high but disputed that the town was growing fast in absolute terms. Gerken stated she thought certain estimates in the plan regarding school costs were not presented accurately, for instance the high school renovations were not population driven but were a necessary fixed cost.

Gerken asked how the plan would be used. Delaney responded that the town would use it to guide their activities to the extent they felt necessary. Tipton reminded the audience that the master plan should not be thought of as cast in stone. Master Plans are updated every five years to acknowledge new or changing conditions in the town. Troup suggested the Board take a vote on the plan in a couple of months after residents have had an opportunity to review it and provide feedback to the Board. The Board agreed with this approach. The flyer that was sent out to residents would be amended to add a paragraph that encouraged comments from residents.

5. Rate of Development Issue – Century Mill Estates

Present: Panny Gerken, Ken Troup, Curt Plante

The Planning Board and Board of Selectmen discussed how to approach the offer from the applicant to limit his project to 20 units a year in 2007 and 2008, in exchange for a written determination from the town that its 2001 Rate of Development bylaw was illegal and unenforceable. Century Mill Estates is the only project that is subject to the 2001 bylaw. It was decided that Storey would contact the applicant to find out what they wanted in writing from the town.