

BOLTON PLANNING BOARD
Minutes of Meeting
March 28, 2007 at 7:30 P.M.
Bolton Town Hall

Present: Larry Delaney (Chair), Doug Storey (Vice-Chair), John Karlon, Frank Lazgin, Nat Tipton (Town Planner)

DISCUSSION

1. Common Driveway – 14, 18, 22, and 26 Corn Road

Present: John Curran

Delaney reported that he observed the common driveway. He noted some spots where water was not draining properly, but by and large he felt the driveway was performing adequately. He commented on the large amount of fill that will be necessary to connect the building site to the driveway off Lot 6. Curran mentioned the Order of Conditions has been granted by the Conservation Commission, and the maintenance association is in place to repair the driveway if needed. Storey suggested that Curran obtain a letter from the homeowners on the driveway stating they recognize the driveway was not built per plan, they are satisfied with the current state of the driveway, and future problems with the driveway will be handled by the association.

HEARINGS

2. Century Mill Estates Hearing – Continued from February 28, 2007

Present: Andy Bendetson (Merchant Financial); Meredith West (Freeman Law Group); Dermot Kelly (Traffic Engineer), Jeremy Downs, Michael Carter (GCG Associates)

Delaney commented a site walk was held on March 24th. Rob Oliva reviewed his memo dated March 13th. The following items were raised by Oliva:

- #2 - The applicant is requesting a waiver from the Lot Shape bylaw; under normal circumstances, the applicant would need to go to the Board of Appeals for a variance in order to deviate from the bylaw. Oliva noted that the Lot Shape bylaw does allow the Planning Board to waive the bylaw if it finds the lot configuration would result in better land use than meeting the lot shape bylaw.
- #3 - Conceptual common driveways are shown in the soil survey; Oliva asked the Board would require the applicant to pursue common driveways now;
- #6 - Oliva noted the applicant would be discharging water onto a town road from a common driveway under the present configuration;
- #11 Road A was designed as a minor road, and Roads B and C were designed as lanes, despite traffic counts on Roads A and C would require a design as secondary road and minor road respectively. A condition in the FOSPRD special permit allowed this. This could negatively impact minimum safe stopping distances and vertical/horizontal curves.
- #14 The road design does not meet Subdivision Regulation 5226 that requires a separation of 75 feet from centerline of the road to adjacent property lines;
- #17 a 6.7% grade on the dead end (end portion) of Road C might be unsafe;
- #28 The fire chief should review and approve the design;
- #33 The 3:1 grading outside the ROW requires a waiver;
- #38 The access easement to the abutting Fullam property could cause problems if used;
- #40 DPW should review any water mains associated with the public water supply or shared wells;

- #44 Oliva mentioned there were several retaining walls shown on the plan and asked who would be maintaining these;
- #47 Graded gravel should be put down to provide an access path to the detention basins;
- #54 Soil testing to ensure proper groundwater elevations should be performed for Basin 3B;
- #69, 70, 71 The design of certain basins do not meet Massachusetts Stormwater Guidelines for offsets and TSS removal.
- #74 The O&M plan should include a section on the maintenance of the retaining walls.

Storey mentioned #52 – a comment on Oliva’s memo suggesting reducing a subwatershed that runs off-site impacting a culvert under Spectacle Hill Road. Storey noted the presence of frost heaves at that location in the winter. He stated it is crucial to get the drainage calculations correct. Downs states he would get a response letter prepared for the following week. Delaney questioned if the 75 foot to centerline of road regulation applied in this situation.

A representative from the Fire Department stated he was happier with the present design for fire protection than the previous submission in October. He agreed paved areas and bollards would be important additions. Delaney asked if the roads with 22 feet of pavement with a Cape Cod berm were appropriate. Mentzer answered that the preferable width from the fire department’s perspective would be greater than the 24 feet under the subdivision rules and regulations, but the practicable difference between 22 feet and 24 feet was negligible. Delaney mentioned an issue was discussed at the site walk of whether a rudimentary fire road could be connected between Roads B and C. Mentzer commented this would be preferable from the Fire Department’s standpoint, but did not see that it was essential. The issue of maintenance was discussed; if the fire road was not maintained, it would be essentially useless if needed to be accessed.

Dermot Kelly of DTK Associates provided a summary of his traffic study. Kelly stated a standard methodology was used. Traffic counts were collected at Spectacle Hill and Century Mill Road in January 2004. The analysis assumed a year to year increase of 2% to account for traffic increases since 2004. The study assumes 78 housing lots, and approximately 800 vehicle trips per day will be generated by the development. The estimate of trips was obtained from the Institute of Traffic Engineers’ Trip Generation Manual. The conclusion of the traffic study is there are limited mitigation measures that need to be implemented. Bendetson stated the roads are used lightly now, and will continue to be used lightly.

Some commented on perceived problems with the methodology, particularly with some assumptions made in the study. Delaney noted that South Bolton Road is not included in the analysis, and therefore no attempt was made to estimate the impact on South Bolton Road. Margaret Campbell, of 5 Spectacle Hill Road, asked whether an access road could be put to Hudson Road. She also stated she was concerned at the speeds at which people currently drive on the access roads. Tim Fiehler of Wheeler Road stated he expected South Bolton Road and Century Mill Roads are used to access Route 85 as people are trying to avoid Route 117. James Owen of Century Mill Road stated she felt the study fails to distinguish between local traffic and cut through traffic. Andrew Gilbert stated he felt the traffic has gotten worse over the last few years. Campbell stated a concern over trees that are removed from the town right of way but are not replaced. She also stated repaving portions of Spectacle Hill Road would only encourage people to go faster. She believed speed limit signs should be installed.

The hearing was continued to April 11th at 8:15pm.

3. Hearing on Planning Board Articles per MGL Chapter 40A Section 4

Present: Wayne Wetzel, Curt Plante (Selectmen), David Lindsay and Stan Wysocki (Advisory)

Delaney read the hearing notice.

2.3.5.2 Dimensional Schedule

The proposed amendment to “2.3.5.2 Dimensional Schedule” would change the column heading of “Residential Lot” to “Residential District”; and the column heading of “Other Uses i.e. Business, Industrial, or Commercial” to “Other Districts”.

Delaney mentioned the library debate raised this issue. Some argued the dimensional schedule was organized by use, while others (including Town Counsel, Planning Board, and the Building Inspector) felt it was organized by district. The Planning Board has proposed a change to the bylaw that would clarify the bylaw is organized by district. Delaney stated most zoning bylaws for towns in Massachusetts that he has seen are organized by district. David Lindsay (Advisory) suggested the Residential District should be split into two categories “Frontage Lot” and “Backland Lot”. Wetzel asked whether anyone from the Planning Board talked to a member of the 1960 Planning Board who wrote the original bylaw. He also asked why there needed to be a change, and why the Board was proposing to weaken its bylaw. Delaney stated the change would not weaken the bylaw. Plante stated he liked the intent of clarifying the bylaw. He suggested looking at other towns to see how they organize their dimensional tables. However, he disagrees with the Building Inspector’s interpretation of the present bylaw. Wetzel questioned why this Board was the first to make this change. Wysocki stated he did not see anything devious with the change.

2.7 Major Residential Development

The proposed amendment to “2.7 Major Residential Development” would expand the definition of “Major Residential Development” to include developments beyond subdivisions as defined and limited by MGL Chapter 41, Section 81L. In addition, the amendment would expand the definition to developments that comprise at least 15 acres or more of new development, and create six or more new residential lots.

The Board contemplated making a change to the Major Residential Development bylaw during a backland lot hearing on Wattaquodock Hill Road. Even without building a new road, the Board feels the FOSPRD bylaw should apply. The bylaw would require a FOSPRD plan to be filed for projects with six or more lots and over 15 acres. The Board has received input that suggests the change could encourage subdivisions. Storey explained this was not the Board’s intent. Plante stated he did not support the change as it could lead to one acre lot along existing frontage and would not provide adequate separation between houses. He cautioned the Board to think about how the new bylaw could be interpreted in the future. Wysocki stated he felt the proposed change does not change the philosophy or intent of the FOSPRD bylaw.