

BOLTON PLANNING BOARD
Minutes of Meeting
April 11, 2007 at 7:30 P.M.
Bolton Town Hall

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

DISCUSSION

1. Chris Rogers - Randall Road Maintenance

Present: Chris Rogers

Rogers explained he requested abatement on property taxes from the Assessor's office on the basis that he was made responsible to maintain Randall Road when definitive subdivision approval was granted for Rocky Dundee. The abatement was not granted. The Rocky Dundee Definitive Subdivision approval implied a stipulation that once another lot was created off the unpaved portion of Randall Road, the maintenance would be turned over to the town. A house has been built using a 20 foot portion of the unpaved portion of Randall Road. Lazgin asked if there were any precedents of the town maintaining an unpaved road. Rogers responded that a portion of Sawyer Road and Annie Moore Road were unpaved and maintained by the town. It was decided that Tipton would send a letter to the DPW Director that states according to the Rocky Dundee Subdivision decision, the town should be maintaining the dirt portion of Randall Road.

2. Landquest Discussion – Amendment of Backland Lot Special Permit

Present: EK Karlsa, Ron Roux (Landquest)

Karlsa explained he had been in contact with the Town Planner concerning a possible amendment to the backland lot special permit issued to the applicant. They were requesting a modification that would permit reconfiguring the driveways on the property. This is necessary because there is a condition in the backland lot special permit that sets the driveway configuration to four curb cuts to serve ten lots. Karlsa explained it is the applicant's intent to sell approximately 20 acres to Sudbury Valley Trustees. This is contingent on the ability of Sudbury Valley Trustees (SVT) to raise the funds. The applicant would sell Lots 2, 3, 4, 9, 10, and Parcel A to SVT for conservation purposes as shown on the approved plan (dated January 24, 2005). The applicant would develop the remaining lots regardless of whether the conservation deal occurs (Lots 1, 5, 6, 7, and 8). Karlsa stated there would be a two year period where SVT would undergo fundraising activities to purchase the piece.

Delaney commented he felt the change was substantial and would therefore require a public hearing on the change itself. Storey agreed. It was decided the applicant would file an application to amend their special permit and a hearing would be held in May.

3. 279 Long Hill Road – Request for Modification

Present: Stephan Glover, James Tetreault (Thomson-Liston Associates); Joe Crowley (owner Lot #3)

Tetreault explained the owner of Lot #3 (Joe Crowley) has inquired about making a change to the approved plan. The change would involve reducing the length of the common driveway to limit clearing a section of trees that the property owner would like to preserve. Tetreault asked if the board considered the change a minor modification. On motion by Karlon, seconded by Storey, the Board voted to deem the change as a minor change. Tipton asked how the applicant planned to document the change. Tetreault responded he would create and record a new plan with the change that states it is replacing the previous

plan. Tipton stated this might not be accepted at the registry if the town clerk did not provide the certificate of no appeal. Tipton would check with the Town Clerk for her suggestions.

Board member Stephen Garner left the meeting. Board members Delaney, Karlton, Storey, and Lazgin remained.

HEARINGS

4. Century Mill Estates - Continuation of Definitive Subdivision Hearing from March 28, 2007

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

West asked the Board to consider extending the FOSPRD special permit. The permit expires two years from its issuance (issued on June 29, 2005). West explained that under state law, special permits expire from two years from issuance if a substantial use of the permit has not commenced. Since no application has been formally filed to extend the permit, the Board felt it could not extend the permit as of yet.

Delaney asked whether 135 days from filing of the definitive subdivision permit to issue a decision with the Town Clerk is appropriate rather than 90 days, since the application was to amend a definitive subdivision decision and the applications was not following a preliminary plan. West stated she felt 90 days was appropriate.

The applicant submitted an updated traffic count showing no change in traffic levels. Storey stated that the applicant's contention that the project would not have a big impact on surrounding roads is incorrect. Storey cited the traffic study that predicted excess of 800 vehicles trips per days. Delaney stated it was problematic why there was no attempt made to study the impact on South Bolton Road when the applicant has stated that residents would likely prefer South Bolton Road to Spectacle Hill Road for accessing Route 495.

Delaney asked what the board should consider for mitigation measures for the traffic impacts. Harold Brown in his comments suggested diverting exiting traffic onto Spectacle Hill Road north. This would help avoid sections of Spectacle Hill Road to the south of the development that might not safely carry traffic to Route 495. Andrea Gilbert of Century Mill Road suggested directing traffic via one-way during certain hours.

GCG Associates presented a memo (dated April 4, 2007, received by the Board on April 9) to the Board that answered the concerns of Rob Oliva from his memo dated March 13, 2007. Storey commented on #12 in the memo that states an easement would not be necessary to cross the landowner's property to maintain sight lines. Storey suggested the Board contact the Goddards for their thoughts on this issue. The grade at the end of Road C has been reduced to 5%, where the previous plans showed the grade at 6.7%. Tipton asked Oliva if this 5% grade appeased his previous concerns. Oliva commented he felt the 5% grade was less of a safety issue. #21 requests an additional waiver that would include a waiver from the requirement to include street lighting at road intersections and at the end of cul-de-sacs. #28 references a change to the fire cistern requested by Oliva. The change will be reviewed by the Fire Department. Storey asked where access would be provided to the open space. There is a possibility of providing access at the end of Road B.

The applicant agreed to provide a 30 day extension for the Board to issue a decision. An official letter would be sent to the Town Clerk by the applicant.