

BOLTON PLANNING BOARD
Minutes of Meeting
November 12, 2008 at 7:30 P.M.
Bolton Town Hall

Present: Doug Storey (Chairman), John Karlon (Board Vice-Chairman), Frank Lazgin, Stephen Garner, Mark Duggan and Jennifer Atwood Burney (Town Planner)

Not Present: James Owen (Associate Member)

PUBLIC HEARINGS

7:30 pm Scenic Road Hearing – 3 Vaughn Hill Road, Assessor’s Map #3.B Parcel #64
Applicant: Dina and Colin Mazzola

Present: Applicant Dina and Colin Mazzola of 3 Vaughn Hill Road

The Applicants are proposing to remove and relocate a portion of stone wall in order to modify an existing driveway.

The Chairman opened the meeting at 7:35 pm. The Applicants explained that the purpose of the application is to flare one side of the driveway to accommodate difficulty in pulling into the driveway. There would be no net loss of stonewall and a few trees would have to be removed. The town planner stated that DPW Director, Harold Brown stated that the trees being proposed to be cut down were not on town property. The Planning Board did not feel comfortable making a decision without having the tree warden’s opinion and asked the applicants if they would mark the trees to be removed and asked the town planner to ask the tree warden for his input. The Board reviewed the application and suggested that only 12 to 14 feet should be flared and not the 20 feet as proposed on the application.

A motion was made by John Karlon, seconded by Mark Duggan to allow the request to change the stone wall subject to the drawing submitted, that they applicants do not remove the trees until the town planner speaks to the tree warden, allow the applicants to move the stone wall for now in order to open up the driveway wider. However, the driveway application will not be signed by the planning board until the Chairman of the Board conducts a site walk to determine the amount of pavement required for the flare.

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GENERAL BUSINESS

1. Review revised covenant for Century Mills Estates – Off of Century Mill Road & Spectacle Hill Road

Present: Applicant, Andrew Bendetson, Century Mill Limited Partnership

The Board continued its review of the covenant submitted by Applicant. The Applicant requested a conference call with town counsel to finalize the covenant. The board requested that the town planner set this up.

The town planner stated that the conservation administrator questioned the public water supply easement area in the open space portion (two access roads are shown on approved subdivision plan and only one is needed) as well as public water supply emergency easement for hose or pipe as shown on Public Water Supply Easement Plan for Century Mill Estates. The Applicant explained that only one access road will be build and two are shown on the plans in case an alternate access road is required if ledge is found. The board indicated that they would like to review the conservation restriction as some point to review the access roads and emergency access. The board would like Bill Brookings to review it as well.

2. Discussions on recent site walk at Northwoods – Off of Warner Road

Present: Applicant Chuck Black of Kendall Homes

Mr. Black indicated that he has begun many of the consulting engineer's suggestions from the recent site walk. He is currently requesting a one year extension on an order from the Conservation Commission. He will work on lots this winter which require the use of large excavating equipment and anticipates finishing the roads and topcoat next summer. He also discussed that Ledge Wood Circle and Field Stone Way which are lanes that do not require sidewalks and will be looking to modify the decision that requires them. He indicated that he would consider adding a turn off area for cars adjacent to the open space which would consist of gravel of grass or an open cell paver. Included would be signage for parking for the open space.

3. Long Hill Road (Pokorney) Backland Lot 4C and Common Driveway

Present: Tom Pokorney.

Mr. Pokorney requested to meet with the Planning Board to discuss an inquiry the board had received from a local realtor. The board told Mr. Pokorney that it believed the land was erroneously transferred due to the fact that the applicant hadn't met the conditions of the common driveway special permit. Specifically that the third lot that would be served by the common driveway was not supposed to be transferred until the common driveway is completed. Mr. Pokorney responded that he was never told he couldn't sell lot 3 and this came to a surprise to him. He stated that condition number 7 & 8 of the maintenance agreement hold the owner of the last lot responsible for completion of the common driveway. Mr. Pokorney indicated that he obtained a common driveway special permit and created a backland lot in order to sell the lot. The Board disagreed with Mr. Pokorney's understanding of the common driveway special permit, after which Mr. Pokorney left the meeting.

The Board discussed that the fact that the new owner of the lot will need to seek remedy for the situation created by the sale. It further discussed the fact that since the permit which Mr. Pokorney held for the common driveway has expired; a new special permit would need to be applied for in order for a building permit to be issued for the lot. The board indicated that they do not feel they need to take any further action until someone seeks a building permit for the lot.

The board discussed the need for holding bonds to prevent this type of situation, and a requirement that the driveway be constructed and a multi-party maintenance agreement be recorded and in place before any building permits are granted on any future common driveways.

OTHER BUSINESS

1. Update on storm water management for library and public safety building – under review by Rob Oliva
2. Village Overlay project update – Upcoming public forum
3. Discussion made by a resident about a developer purchasing the Smith property and adjacent property for a commercial development.
4. Inquiry about rescission of an approved common driveway plan on Wattaquodock Hill road by Land quest, LTD.
5. Wireless Bylaw review for Forbush Road - town transfer station site. The town planner reviewed the application.

Meeting adjourned at 9:45 pm

Minutes submitted by Jennifer Atwood Burney, Town Planner