

BOLTON PLANNING BOARD
Minutes of Meeting
January 23, 2008 at 7:30 P.M.
Bolton Town Hall

Present: Doug Storey (Vice Chair), John Karlon, Frank Lazgin, Stephen Garner, Associate Member James Owen and Town Planner, Jennifer Atwood Burney
Not Present: Larry Delaney (Board Chair)

HEARING

7:45 p.m. – SPECIAL PERMIT FOR BACKLAND LOTS 69 ANNIE MOORE ROAD

Present: Charles H. Lord and Representative from Ross Associates

Vice Chair, Doug Storey opened the Hearing and read the Hearing Notice. Storey announced that Board Chair, Larry Delaney was not present at tonight's meeting, but James Owen could vote as Associate Member. The plan shows the creation of 2 backland lots carved out of a larger parcel of land in Chapter 61A. Frontage is on Annie Moore Road. Lot 2 consists of 10.05 acres and has an existing house, pool, pool house and shed, and is part of the larger parcel. Lot 3 contains 4.52 acres and is being created for a grandchild. The remaining 87 acres will remain in Chapter 61A and is used as an orchard. An affidavit was presented to the Planning Board which was also given to the Boards of Selectmen and Assessors stating the Applicants intent. Lots 2 & 3 will share the existing driveway and lot 3's continued access will be along the existing cart path.

The Board and Applicants discussed the required 200' frontage between the backland lots. The plans show a preexisting house which was constructed in 1971 and has 150' of frontage. Both backland lots are positioned on each side of the property. The question is whether or not the requirement of 200' of frontage could be waived because the existing house is a pre-existing nonconforming structure. Other approaches were discussed such as adding 50' frontage to the nonconforming parcel. The Board would like Town Counsel to review the request. The Applicant will return to the next Planning Board meeting with the current plan as well as a plan showing the additional 50' frontage added to the non conforming lot.

DISCUSSION

Cancelled and rescheduled to February 13, 2008 at 8:30p.m.

8:30 p.m – TOTH Property

Informal discussion with Larry Ducharme and Developer Bob Kiley to discuss 75 acre property located on Sugar Road.

OTHER BUSINESS

Wireless Communication Facility (WCF) Bylaw

John Karlon and the Town Planner updated the Board on a recent meeting with the Board of Selectmen in regards to the Wireless Communication Facility (WCF) Bylaw. The Board of Selectmen stated that they are in favor of creating an overlay of the existing wireless communication properties and the addition of the transfer station. Selectmen Curt Plante had suggested that because the transfer station was a preexisting business use in a residential district, that the addition of a cell phone tower might not be an issue. He suggested checking this with Town Counsel. The town planner explained that the Board of Appeals granted a use variance for a cell phone tower to be located at the residentially zoned Girl Scout Camp located on Hudson Road. At the time, Town Counsel had indicated that the Board of Appeals did so in order to comply with the Telecommunications Act. The Planning Board indicated they would like to proceed by amending the bylaws by creating an overlay district using the existing sites and transfer station as agreed by the Board of Selectmen.

Earth Removal Bylaw

Doug suggested creating a few options for the Earth Removal Bylaw and presenting this to the Board of Selectmen to solicit their preference. Doug also suggested inviting Harold Brown and other Boards to a future Planning Board meeting to solicit their suggestions. The Board suggests that the Planner inquire to see how other towns regulate and enforce earth removal, how often enforcement occurs and the repercussions if any for violations.

NEXT MEETING

February 13 and 27, 2008 at 7:30pm

Meeting adjourned at 9:15pm

Minutes submitted by Jennifer Atwood Burney