

**BOLTON PLANNING BOARD**  
**Minutes of Meeting**  
**April 9, 2008 at 7:30 P.M.**  
**Bolton Town Hall**

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

**GENERAL BUSINESS**

**1. Meet Kosta Sidopoulos – potential candidate as a Planning Board Member**

Mr. Sidopoulos informed the Town Planner through email that due to his work schedule he would not be able to commit to the position at this present time.

**2. 279 Long Hill Road – Steve Glover, Frank Patterson & Joe Crowley to discuss changes to common driveway located at 279 Long Hill Road.**

Present: Joe Crowley

Steve Glover and Frank Peterson were not present. Mr. Crowley wanted to discuss the proposed changes that Mr. Glover may be presenting to the Board to the approved common driveway on Long Hill Road. Modifications would include the elimination of a crown and adjusting the driveway slightly in one portion to avoid cutting down a large oak tree. The Board asked Mr. Crowley the status of construction of the common driveway and lots. Mr. Crowley explained that three (3) lots will be serviced by the common driveway: Lot 1 is an existing house occupied by Mr. Peterson; Mr. Crowley is in the process of constructing a house on Lot 3, and Lot 2 is for sale and is being held by the Board as surety the common driveway will be completed. Mr. Crowley expressed concern that the driveway will not be completed by Mr. Glover. Mr. Crowley told the Board he received an estimate of \$41,000 to complete the common driveway as currently designed. Mr. Crowley explained that the three (3) owners of Lots 1, 2 and 3 will be responsible for maintenance of the driveway through a maintenance agreement once the common driveway is completed by Mr. Glover.

Mr. Delaney indicated that a Hearing would have to be held for modification of the common driveway. Mr. Storey indicated that a building permit would not be given for the last lot until the driveway is completed by Mr. Glover. The Board stated that the only leverage they had to ensure that the common driveway was completed as designed was by holding the last lot and not allowing a building permit. The person purchasing the last lot should be made aware of this requirement through a title search which would be done by the attorney for the purchaser of the lot. The Board had recently sent Mr. Glover a letter indicated that he should request an extension for the Special Permit for the Common Driveway which expires in December 2008.

**3. Signing ANR Plan/Backland Lots for ANNIE MOORE ROAD**

The Board endorsed an unfolded mylar as required by the Registry of Deeds. A plan was endorsed by the Board at the previous Planning Board Meeting held on March 26, 2008, but was folded and not a mylar. .

#### **4. Review Tri-Party Agreement for Northwood's Subdivision**

Chuck Black from Kendall homes had submitted a tri-party agreement for Northwood subdivision which had expired in 2007. Town Counsel reviewed this agreement and suggested that the Board have Mr. Black submit a 2008 estimate of remaining work to be done, since the existing tri-party agreement was based on a 2004 estimate. The Board requested that the Town Planner ask that Mr. Black's engineer submit a 2008 estimate and then have Rob Oliva conduct a peer review of the estimate. The Board also requested that the Subdivision Rules and Regulations be updated to include a tri-party agreement and that section 4320 of the Rules and Regulations reference a tri-party agreement.

#### **5. Review & discuss Conservation Restriction and Covenant for Century Mill Estates**

The Board reviewed the Covenant submitted for Century Mill Estates by the Applicant's attorney, Meredith West. Because the Board had many issues with the Covenant submitted, the Board requested the Town Planner ask Town Counsel for an example of a covenant that they feel is adequate and appropriate for the town to use for Century Mill Estates. The Applicant's attorney should use the Covenant that Town Counsel recommends and then resubmit it to the Planning Board for review. Once the Planning Board has reviewed the new covenant they will forward this to Town Counsel for review. The Board also discussed replacing the current Covenant in the Subdivision Rules and Regulations with the recommended one from Town Counsel.

The Conservation Restriction has been reviewed by Town Counsel. Town Counsel requested a conference call between the Planning Board Chairman, Carol Gumbart from Conservation and the Town Planner to discuss some of the remaining issues.

#### **6. Discuss Road acceptance for Oak Trail (Selectmen Hearing April 17, 2008) Review Open Space Deed**

Present: Richard Burgoyne, Buildings Superintendent for the International

The only open issue is the related to seeding of portions of the detention which is being seeded on Friday, April 11, 2008. Harold Brown and the town planner will conduct a site walk sometime next week prior to the Selectmen meeting on April 17, 2008.

Carol Gumbart from Conservation also needs to conduct a site walk of the open space. The lawyer for the Oaks is currently "tweaking" the open space deed. Once Mr. Delaney receives this he will forward this to Town Counsel as well as Carol Gumbart for the Conservation Commission meeting on Tuesday, April 15, 2008.

Once the road is accepted by Town Meeting, a road acceptance fee of \$12,246 will be due from the developer along with a deed conveying the public way together with all associated easements to the Town.

*A motion was made by Doug Storey, seconded by John Karlon to recommend acceptance of Oak Trail by the Selectmen and the Town Meeting as having been constructed in conformance with the Planning Board's Subdivision Rules and Regulations.*

*Vote: 5/0/0*

**7. Town Meeting Articles.**

The Board discussed who would be presenting the Town Meeting Articles. Board Chairman, Larry Delaney will present the Oaks road acceptance and John Karlon will present the Wireless bylaw amendment. The Town Planner advised both members to speak with the Moderator, Jim Anker prior to the Town Meeting as well as decide on the number of slides they would like in their presentation.

NEXT MEETING

**April 23, 2008 Wireless Communication Facilities Bylaw Amendment Public Hearing and review of Library application before ZBA (may have a presentation from Library at 8:15 pm –TBC)**

OTHER MEETINGS

- **April 17, 2008 Selectmen Hearing for Oak Trail road acceptance**
- **April 28, 2008 at 7:00pm Affordable Housing Seminar**
- **May 1, 2008 – at 7:00 pm MAGIC (Bolton hosting meeting)**
- **May 5, 2008 – Town Meeting**
- **May 13, 2008 – at 7:00 pm ZBA Library Public Hearing**

Meeting adjourned at 9:20pm

*Minutes submitted by Jennifer Atwood Burney, Town Planner*