

Planning Board Minutes

Date:	Wednesday, April 11, 2012
Time:	7:30 pm
Location:	Town Hall, 663 Main Street, Bolton MA
Present:	Doug Storey, Jonathan Keep, John Karlon and Town Planner Jennifer Burney. James Owen arrived at 7:50 pm Not present: Mark Duggan and Marc Gautreau

Hearing 7:30 pm

Time	Description
7:30 PM	<p>Continued Hearing from March 14 and March 28th:</p> <p>Pursuant to M.G.L. Chapter 40A, Section 5, the Planning Board Hearing is continued from Wednesday, March 14, 2012, March 28, 2012 to April 11, 2012 at 7:30 pm to discuss proposed amendments to the Town's Zoning Bylaw.</p> <p>The following articles will be discussed:</p> <ol style="list-style-type: none"> 1. Local Historic District (Sponsored by the Local Historic District Study Committee) Iris Berdrow and Steve Bing told the Board that due to the recent public hearing they attend to pass over the article at town meeting. 2. Line of Sight (Sponsored by the Public Ways Safety Committee) No one present to discuss the article 3. Rezoning of Kane property (Citizen's Petition) (Kane's will present) Doug Duchene presented on behalf of the Kane's. Explained that they pulled back the residential portion near Hudson Road and left a large portion of it zoned as residential. A portion of this parcel is being rezoned to make the gas station conforming. Chris Lorraine from Land Tech Consultants presented next and explained that the Kane's could do a 77,000 SF building and meet the 8% footprint requirement with the rezoning. They will be limited due to the 220 foot well radius which consists of approximately 4.5 acres. Zone I cannot have any development but will use the land to meet the 8% footprint requirement. They are also limited due to the 50' wide Tennessee Gas Easement which doesn't allow any permanent structures but may allow parking. There is also a lot of ledge throughout the entire property. They will be able to do a project about 63,000 -65,000 SF with all the constraints with the rezoning. They have no lease agreements but would like to put in a 40,000 – 45,000 SF grocery store, 12,000-14,000 SF pharmacy and another smaller building for a gas station/coffee shop. They will meet the 150' front yard setback. They would like to utilize the village overlay distinct if it passes to allow for multiple buildings on one site. If it doesn't pass they can still do the project but it would be better designed under the village overlay. The estimated value of the project for buildings is 6-7 million which would mean \$119-138,000 per year in tax revenue. The current taxes they pay on the land are \$14,526 and if redeveloped and rezoned would be approximately \$38,452 for total tax revenue of \$144,000 to \$168,000 per year. The nearest property line is 1100' and 950' from the proposed parking lot. <p>28.72 total acres 4.32 leaving as residential 3.2 will consist of the gas station Which will leave 21.2 acres for the proposed project allowing approximately a 77,000 SF development</p> <p>Also included is rezoning of a small portion of the rear of the Country Cupboard.</p> <p>Board member James Owen asked what is in it for the town. The reply was that it is the most attractive place in town to have development since it borders routes 117 and 495. A project at 8% could be done as a 35 – 40,000 SF project but would be a strip mall with multi uses. The difficulty is that a pharmacy won't come without a grocery store and a grocery store won't come without a pharmacy. The entrance would be directly off of 495. The Kane's indicated it wouldn't be worth it to do a 35-40,000 SF project due to the ledge.</p> <p>Randy Dinjian indicated that he was concerned about the potential of the Country Cupboard being acquired and one massive development being constructed. The Kane's responded that they have no interest in the Country Cupboard and felt the development would help the Country Cupboard. Jane Houde the owner of the Country Cupboard was present and stated that she felt the development would have a negative impact on the Country Cupboard.</p> <p>Martha Remington asked if the portion of the land being rezoned belonging to the Country Cupboard was a pond. The reply was that most of it is. She was also concerned about the 3.2 acre gas station. The reply was that it was needed for a septic system.</p> <p>The following are sponsored by the Planning Board.</p> <ol style="list-style-type: none"> 1. Amendment of Design Review Guidelines 2. Amendment of Use Table to include provisions for the Solar Bylaw 3. Amendment of the Town Base map to include the Village Overlay District 4. Adoption of Solar Bylaw 5. Adoption of Village Overlay District and related articles 6. Other Amendments as related to Village Overlay District <p><i>A motion was made by John Karlon, Seconded by Jonathan Keep to close the Hearing for all the articles except for the two recodification articles which would be continued to April 25, 2012.</i> 4/0/0</p> <p>The Hearing for the Recodification of the Zoning By-laws was continued to April 25, 2012.</p>

Time	Description
8:30 PM	<p>Continued from March 28th to consider the application of Syncarpha Solar, LLC and Renewable Energy Massachusetts LLC who is requesting a Special Permit for the construction of a Solar Energy Facility to be located on a portion of property owned by the Davis Farms Trust located at 125 Still River Road, Bolton MA.</p> <p>Todd Morey, the representative for the applicants stated that 4 items were addressed in the summary package:</p> <ol style="list-style-type: none"> 1) The plans now show a loop all the way around as well as parking areas all done to address the fire department concerns. Chief Mentzer was also present and stated that the Fire Department was satisfied with the changes. 2) The packet contained information on the escrow they would provide to the town. The Board indicated that the Town would have to review this. 3) Provided evidence of an application to the Utility Company and discussed that the utility approval would be provided prior to the building permit and listed as one of the conditions. 4) The emergency response plan would be finalized and submitted prior to the issuance of a building permit. 5) Also discussed was the fence. The Board indicated that they would like to see it just under 4" similar to swimming pool requirements. <p><i>A motion was made by John Karlon, Seconded by Jonathan Keep to close the Hearing 3/0/0 (James Owen unable to vote since he missed the previous meeting)</i></p> <p>The Board would vote at the next meeting and work on the draft decision.</p>

Business

Time	Description
8:00pm	<p>Delta – Request for modification of Barn to add dormers & stone work The Board reviewed the request and thought the overall design was better but wanted to defer the review to the Design Advisory Team (DAT). After the DAT review the Planning Board will review and approve.</p>
8:15pm	<p>ANR – Ducharme and Dillis Lot 31A and Lot 32A Oak Trail Applicant is requesting a waiver for lot shape for 31A Greg Roy from Ducharme and Dillis was present and explained that the lot didn't meet the lot irregularity at the time of approval of the subdivision however, zoning changed since that time. The Planning Board can waive the lot requirement under Section 2.3.5.7 (3) of the Bylaws if they felt it will result in a better potential house siting, less environmental damage to the site or better land use. Lot 31A would be the only lot that needed this waive as Lot 32A met the requirements. All other FOSPRD requirements are met. <i>A motion was made by John Karlon, Seconded by James Owen to approve the ANR for lots 31A and 32A located on Oak Trail and approve the lot shape requirement under Section 2.3.5.7.(3) dated April 1, 2012 drawn by Ducharme and Dillis 4/0/0</i></p>
8:25 pm	<p>Driveway Application Lot 26 and Lot 31A Oak Trail The Board reviewed the plans showing the reduced number of pipes for lot 31A and none shown for Lot 26. DPW director Harold Brown indicated to the Board that he would like the driveways constructed as designed and approved by the Planning Board. The Board stated that they would be satisfied if Fred Hamwey reviewed and approved the culverts and the applicant put money into an escrow account to pay for the review however, the applicants would need to obtain Harold's approval on the driveways.</p>

Submitted by Jennifer Burney, Town Planner