

## TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall – Board of Selectmen's Room on **April 23, 2014** at 7:30 PM

Members Present: Jonathan Keep (Chairman), John Karlon, David Yesue, Erik Neyland (Members) JK  
Also Present: Erica Uriarte (Town Planner), Charles and Jeanne Black, Georgia Sahagian, Paul and Paula Rich  
Members Absent: Doug Storey (Vice Chairman), James Owen (Assoc. Member)

Call to order: 7:33 PM

### Hearings:

- 7:30 pm, Planning Board adoption of Design Review Board Rules & Regulations
  - o The Planning Board held a public hearing pursuant to Massachusetts General Laws Chapter 41, Section 81Q to adopt the Design Review Board Rules and Regulations. The Planning Board reserved the right to adopt these rules and regulations under the Code of the Town of Bolton Section 250-23G Design Review Criteria.
    - **D. Yesue motioned to close hearing. 2<sup>nd</sup> by J. Karlon. All in favor 4/0/0.**
    - **D. Yesue motioned to adopt the Design Review Board Rules & Regulations. 2<sup>nd</sup> by J. Karlon. All in favor 4/0/0.**
- 7:45 pm, Charles Black, Kendall Homes, Inc. - Lot 1 Intersection of Harvard Rd/Warner Rd
  - o In accordance with Massachusetts General Laws Chapter 40, Section 15C (Scenic Road Law) and Section 250-24 of the Bolton Zoning Bylaws (Scenic Roads), the Planning Board held a continuation of a public hearing from April 9, 2014 upon the application of Kendall Homes, Inc., 269 West Main Street, Northborough, MA 01532, regarding the proposed removal of a portion of stone wall and cutting of trees required to construct a driveway for property located on Warner Road, identified by the Assessors Map as 7C Parcel 63.
    - E. Uriarte received report dated 4/18/14 from the Bolton Police Department and DPW regarding the safety of the driveway location. A copy of the report was provided to those in attendance. J. Keep read portions of the report.
    - The Police and DPW conducted a site visit on 4/15/14 and determined the following:
      - o In regards to public safety, the driveway entrance should be located off of Harvard Road and not Warner Road.
      - o The Warner Road driveway entrance is hazardous to both residents entering/exiting the site and motorists making a right hand turn onto Warner Road from Harvard Road.
      - o Residents exiting the driveway from Warner Road would have obstructed visibility due to the embankment, tree line, stone wall, and slope of driveway. Residents would need to pull out further into Warner Road to see beyond the obstructed view exposing their vehicles to motorists turning onto Warner Road whose reaction/braking time is limited due to speed, visibility and restricted distance.
      - o Concerned for rear end collisions when motorists are turning into the driveway from Warner Road.
      - o Drainage concerns with runoff from driveway freezing onto Warner Road creating hazardous road conditions.
      - o The driveway entrance off of Harvard Road provides a clear unobstructed line of sight.
    - Mrs. Sahagian of 11 Drumlin Hill Road has drainage easement on her property and when foliage is in full bloom the visibility is reduced. She is concerned with maintenance along Warner Road and the dense vegetation that reduces visibility in the road.
    - Mrs. Rich of 36 Warner Road is concerned with the amount of grading and tree removal that would be needed along Warner Road to construct the driveway. She is also

concerned it would be a liability to the Town for the Planning Board to go against a recommendation made by the Police Department and DPW.

- J. Karlon stated their decision would not be a liability to the Town.
- Mr. Black requested a continuance of this hearing until May 14<sup>th</sup> or May 28<sup>th</sup> so that his engineer could revise the layout of the driveway, house, and septic system.
- J. Keep requested a rebuttal and a revised plan be submitted to expedite the process.
- **J. Karlon motioned to continue hearing to May 14<sup>th</sup> at 7:45 pm, the next regularly scheduled Planning Board Meeting. 2<sup>nd</sup> by D. Yesue. All in favor 4/0/0.**

#### Business:

- Charles Black, Kendall Homes, Inc. – Northwoods Street Acceptance
  - o Request for reduction or waiver of street acceptance fee
    - Mr. Black bought the approved subdivision from Larry Ducharme & partners. He was unaware there was a street acceptance fee at the time of purchase.
    - E. Uriarte stated the Oaks paid at least half of their street acceptance fee as well as other fees during the street acceptance process.
    - The Planning Board discussed the fee schedules of surrounding towns. Many of the towns have a lower street acceptance fee or none at all. It was noted that other towns may impose fees that Bolton does not.
    - The Planning Board agreed they could not change the fee schedule during this meeting, but would consider reducing the street acceptance fee to a more reasonable amount in the future. E. Uriarte to determine process for officially changing Planning Board fees.
    - J. Keep read email from D. Storey dated 04/16/14 supporting a reduction in the street acceptance fee.
    - **Mr. Black stated he would pay the full amount for street acceptance. Mrs. Black will send a check to E. Uriarte next week.**
  - o Hamwey Engineering, Inc. conducted final site visit on 4/17/14
    - E. Uriarte read through Inspection Report 35A. Remaining punch list items include loaming and seeding, street sweeping, removing debris from catch basin depressions along Drumlin Hill Road, and installing a grate on the basin outlet off of Fieldstone Way. Refer to Inspection Report No. 35A.
    - D. Yesue read the approval letter from the Fire Department dated 01/11/14 regarding the fire cistern and surrounding bollards.
    - E. Uriarte to contact Carol Gumbart to confirm if the guardrail length along Ledgewood Circle was shortened to install trees.

#### Administrative:

- Planning Board appointed Mary Delaney to Design Review Board (DRB)
  - o **J. Karlon motioned to appoint Mary Delaney to the DRB. 2<sup>nd</sup> by E. Neyland. All in favor 4/0/0.**
- CME Project Update
  - o Punch list of items to be conducted by CME. This includes updating SWPPP and submitting an eNOI on the EPA's website for compliance with the 2012 Construction General Permit.
  - o E. Uriarte visited CME on 4/23/14 and inspected the drainage system along Mill Pond Road and Cider Circle. The existing drainage system was inundated with sediment and needed maintaining.

**D. Yesue motioned to adjourn the Planning Board meeting at 9:13 PM. 2<sup>nd</sup> by J. Karlon. All in favor 4/0/0.**