


**TOWN OF BOLTON - PLANNING BOARD MINUTES**

Meeting Held at the Town Hall – Board of Selectmen’s Room on **July 29, 2015** at 7:30 PM

Members Present: David Yesue (Chairman), Erik Neyland, John Karlon, Jonathan Keep, Jon Ricci, and Danielle Spicer (Associate).

Also Present: Erica Uriarte (Town Planner), Brandon Ducharme (Ducharme & Dillis Civil Design Group, Inc.), Andrew Bendetson (CME), Fred Coon (CME), Fred Hamwey (Hamwey Engineering, Inc.), Harold & Barbara Brown (DPW), and Bob Knowles (Bolton 2 Solar Project)

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Call to order: 7:36 PM

- Hearings
  - None.
- Business
  - ANR for Harvard Road, Parcels 6.C-29 and 6.C-90, Brandon Ducharme
    - ANR was approved by the Planning Board in 2012, but never recorded at the Worcester Registry of Deeds.
    - Lots identified on the ANR as Lots 1 and 2 already appear on Bolton Assessor’s Map 6.C as Parcels 29 and 90.
    - Endangered species habitat was mapped on the parcels. The ANR site plan was updated to show the conservation restriction.
    - A shared driveway is not anticipated between the two lots. Septic systems have been designed for each lot.
    - **J. Karlon motioned to accept ANR plan prepared by Ducharme & Dillis prepared June 16, 2015. 2<sup>nd</sup> by J. Keep. All in favor 5/0/0.**
  - Bolton 2 Solar Project – 125 Still River Road (Lot 2A), Bob Knowles
    - Syncarpha Still River, LLC and Renewable Energy Massachusetts LLC seek to modify the design of the Bolton 2 Solar Project to include two additional utility poles at the crossing of the Tennessee Gas pipeline prior to reaching the National Grid circuit on Still River Road. The two additional utility poles are at the request of the Tennessee Gas Co. and will be located safely on either side of the gas pipeline and owned by Syncarpha. The utility poles will be located on Davis Trust property within the limits of the project. The exact location of the two poles will be determined prior to construction and shown on revised site plans submitted to the Board.
      - The project was originally approved for four utility poles (three National Grid poles and one Syncarpha pole).
      - Syncarpha would prefer to maintain control over the two additional utility poles rather than National Grid be involved with the easement over the Tennessee Gas pipeline.
      - The proposed overhead interconnect lines to cross the Tennessee Gas pipeline are required to be a minimum of 25 feet in height. The poles will be located 25 to 30 feet on either side of the gas pipeline easement.
      - The Applicant anticipates some tree removal along the property line where the overhead interconnect lines from the facility will extend to the National Grid Circuit in Still River Road. However, the majority of the existing tree buffer will remain in place.
      - In regards to the Bolton 1 Solar Project, the Board was concerned with the lack of openings in the perimeter fence around the existing facility as required by the Special Permit for that project. B. Knowles volunteered to reach out to Erik Aubrey (site manager) from Gehrlacher Solar America Corp. to help facilitate discussion.
      - The Special Permit for the Bolton 2 Solar Project defines a substantive modification as follows:

- Increases the rated capacity of the system above 2.4 MW AC;
  - Increases the total number of inverter sheds;
  - Increases the number of interconnect lines;
  - Alters the general location of the interconnect lines; or
  - Minor modifications may occur which do not alter the parameters of the above project elements.
- The modification to incorporate two additional utility poles does not meet the definition of a substantive modification.
- **J. Karlon motioned to accept the addition of two utility poles to the Bolton 2 Solar Project as a minor modification to the Special Permit dated May 27, 2015. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**
- Century Mill Estates - Andrew Bendetson, Fred Coon and Brandon Ducharme
  - The Board reviewed the Cease & Desist Order issued to Century Mill Estates on July 16, 2015 for noncompliant issues related to erosion and sedimentation controls impacting environmentally sensitive areas and a retaining wall breach that occurred on June 22, 2015.
    - The retaining wall breach occurred at the wetland crossing on Old Stone Circle during a rainfall event. Stormwater runoff pooled behind the wall producing pressure against the concrete blocks causing the blocks to fall out along with the gravel material behind the wall. The MSE wall uses geogrid to provide structural support (the blocks are not staggered). There is no underdrain installed behind the wall as designed.
    - Since the Cease & Desist Order was issued, the Applicant has taken appropriate steps to address some of the issues outlined in the order as observed by the Town during a site visit on July 21, 2015. The items outlined in the order were prioritized in an email dated July 21, 2015 from E. Uriarte to Alan Shocket.
      - Funds were secured for GZA Environmental, Inc. to conduct a peer review of the design to repair the wall.
    - The Board reviewed the Hamwey Construction Inspection Report No.235 included as part of the Cease & Desist Order.
    - **J. Karlon motioned to lift the Cease & Desist once item no.1 through item no.5 in the email dated July 21, 2015 from E. Uriarte to Alan Shocket are completed. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**
    - **E. Uriarte to forward future Hamwey Construction Inspection Reports to the Board.**
  - The Board reviewed the request for bond reduction for Old Stone Circle (Phase 4 - Road C).
    - The original bond for the road equaled \$532,253 as approved by the Board on June 10, 2015.
    - The bond estimate dated July 22, 2015 was prepared and approved by Hamwey Engineering, Inc. based on work completed to date on Old Stone Circle.
      - F. Hamwey updated the bond estimate for this meeting and submitted a new bond estimate dated July 29, 2015.
      - Bond estimate equals \$234,400 (calculated by Hamwey) multiplied by 1.5 equaling new bond amount of \$351,600.
    - Current surety held for Old Stone Circle equals \$106,450 for Lots 28A through 32A. The Applicant seeks a reduction from this amount ( $\$351,600 / 25 \text{ lots} \times 5 \text{ lots} = \$70,320$ ;  $\$106,450 - \$70,320 = \$36,130$ ).
    - **J. Ricci motioned to accept the new bond amount for Old Stone Circle of \$351,600. 2<sup>nd</sup> by J. Karlon. All in favor 5/0/0.**
    - **E. Neyland motioned to reduce the surety being held for Old Stone Circle by \$36,130 to be allocated as follows: \$14,064 to be held as surety for Lot 45A, \$900 to pay for outstanding noise violation tickets, \$5,000 to cover**

**construction oversight by Hamwey Engineering, Inc., and \$16,166 to be released to Old Stone Estates, LLC. 2<sup>nd</sup> by J. Karlon. All in favor 5/0/0.**

- The Board discussed the road damage to Spectacle Hill Road and Century Mill Road due to the loading and unloading of heavy equipment on the roads for Century Mill Estates.
  - H. Brown is concerned with the damage to Spectacle Hill Road and Century Mill Road due to the constant loading and unloading of equipment on the roads for Century Mill Estates.
  - The Board will need an estimate from the DPW for cost to repair the damage to the road. Bond requested to repair the roads will be kept separate from the surety posted for the subdivision.
    - The Board asked if F. Hamwey could assist with the estimate. However, F. Hamwey indicated that this estimate should come from DPW since H. Brown knows the existing condition of the roads as well as the scope to which the DPW wants the road repaired.
  - A. Bendetson disagreed that he should be held responsible for fixing a public road that was damaged originally.
- The Applicant did not submit a complete application for the ANR regarding Lots 36B through 47B. The Applicant will need to submit remaining items and attend the next meeting.
- Administrative
  - Appoint Design Review Board for 2015/2016 Term
    - **J. Karlon motioned to appoint the following individuals to the Design Review Board for a new term: Michele Tuck, Mary Delaney, Marshal McKee, and David Pettit.**

**J. Karlon moved to adjourn the Planning Board meeting at 9:32 PM. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**