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## TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall – Board of Selectmen’s Room on **September 23, 2015** at 7:30 P.M.

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

Also Present: Erica Uriarte (Town Planner), Robert Kiley (Houghton Farm - applicant), Peter Bradley (Houghton Farm - applicant), Fred Coon (Century Mill Estates - applicant), Walter Eriksen (Built Best Construction, LLC - applicant)

Call to order: 7:35 P.M.

J. Karlon entered meeting at 7:36 P.M.

- Hearings
  - None.
- Business
  - Bob Kiley, High Oaks Realty Trust, Houghton Farm
    - D. Yesue recused himself from the discussion as an abutter to the Houghton Farm subdivision.
    - The applicant is seeking to provide money in lieu of donating Lot 15 to the Town towards the Affordable Housing Partnership Trust Fund. The original agreement in the Definitive Subdivision Approval was for Lot 15 to be donated to the Trust. Such an amendment to the permit condition would be considered a minor modification. Houghton Farm is a 15 lot subdivision with one ANR lot, one affordable lot and 13 subdivision lots on a cul-de-sac.
    - The Planning Board reviewed the appraisals for Lot 15. The two appraisals valued the property at \$130,000 and \$135,000.
      - Lot 15 is a frontage lot located on Golden Run with wetland resource areas present on site (reducing the buildable area).
    - Section 250-27 of the Bolton Zoning Bylaw for Inclusionary Housing indicates that \$200,000 shall be provided in lieu of an affordable housing unit. Section 250-27.L.(1)(a) states *“Calculation of fees-in-lieu-of-units. The applicant for development subject to this bylaw may pay fees in lieu of the construction or provision of affordable units, which fee is determined to be \$200,000 per unit. For example, if the applicant is required to construct two affordable income units, he/she may opt to pay \$400,000 in lieu of constructing or providing the units.”*
      - The Board is uncertain whether or not \$200,000 is the requirement when considering money in lieu of land. Can the applicant seek relief from the Zoning Board of Appeals?
    - Habitat for Humanity was previously interested in developing Lot 15 into a duplex, but there was a sentiment that the abutters did not want a duplex in the neighborhood.
    - B. Kiley does not feel the property should be valued at \$200,000 considering the appraisals and his other contributions to the Town as conditioned in the Definitive Subdivision Approval. B. Kiley is already providing improvement to the existing curve on Sugar Road, providing planted trees to an abutter of the subdivision and donating open space to the Town.
    - **E. Uriarte will contact Town Counsel to determine the intention and requirements of Bolton’s Inclusionary Housing Bylaw. B. Kiley’s attorney will be included in the discussion and determination.**

- Fred Coon, Century Mill Estates - Request for Bond Reduction
  - The Planning Board reviewed the request for bond reduction of Old Stone Circle (Road C) at Century Mill Estates. Fred Hamwey (Hamwey Engineering, Inc. – peer reviewer) prepared the bond reduction based on work completed to date.
  - Bond was required for the retaining wall repair at the Road C wetland crossing. F. Coon provided the labor estimate for the wall repair and it was approved by F. Hamwey. The bond amount for the wall repair is \$4,950 (multiplied by 1.5). This amount was added to the remaining bond amount for Old Stone Circle.
    - Concrete Systems Inc. (designer and manufacturer of the retaining wall) will provide a letter to Century Mill Estates stating that the wall material is under warranty and will be provided at no cost to Century Mill Estates.
  - Anticipated schedule for the wall repair is approximately two weeks. Concrete Systems Inc. requires a week to manufacture the parts and it will take Century Mill Estates a couple of days to repair the wall. GZA Environmental, Inc. will conduct construction oversight of the work to ensure compliance with the approved plans.
  - The Planning Board must secure \$3,200 from Century Mill Estates for the construction oversight of the wall repair by GZA.
  - There was some hesitation from D. Yesue to approve the bond reduction considering GZA's recommendation to observe the repaired wall over time for further compromise. The design of the repair by Concrete Systems Inc. had not been tested in the field on other walls. Also, D. Yesue considered the Cease & Desist that was issued in July 2015 for non-compliance of erosion & sediment control requirements.
  - Overall the Planning Board felt comfortable approving the bond reduction knowing bond would be held for the wall repair and there was surety being provided by the 19 unreleased lots along Old Stone Circle.
  - **J. Karlon motioned to reduce the bond amount held for Old Stone Circle by \$14,950 of which \$3,200 will be secured for construction oversight by GZA releasing a total of \$11,750 to Century Mill Estates. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**
  
- Walter Eriksen, Built Best Construction, LLC, 283 Long Hill Road – Request for Bond Reduction
  - The Planning Board reviewed the request for bond reduction of the common driveway at 283 Long Hill Road.
  - The previous developer did not construct the common driveway in accordance with the approved plan. W. Eriksen modified the driveway to ensure drainage from the driveway would not enter onto the public road. A swale was added to the design.
  - Fred Hamwey conducted construction oversight of the driveway and reviewed/approved the requested bond reduction based on work completed to date.
  - **J. Karlon motioned to reduce the bond amount for the Common Driveway at 283 Long Hill Road by \$43,581.45. The Bond remaining will be \$5,662.95. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**

- Administrative
  - The Planning Board appointed E. Uriarte as Town Representative for MAPC.
    - **J. Karlon motioned to appoint E. Uriarte. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**
  - The Planning Board discussed potential articles for ATM 2016.
    - Aquifer Protection Overlay District Bylaw.
    - Create Revolving Account for “Welcome to Bolton” Signs.
    - Create Revolving Account for Scenic Road Replacement Trees.
    - Public Way Access Permit Bylaw (as recommended by PWSC).
    - Allow Design Review Board be triggered under building permit application for structures with business, commercial and industrial use.
    - Require native plants be used for landscaping.
    - FOSPRD Bylaw versus Open Space Model Bylaw.
    - Medium Scale Solar Bylaw.
    - Wind Energy Bylaw.
    - Cottage Overlay District Bylaw.
    - Town Clerk Recommendations
      - Recall Special Legislation from 2015 ATM – this is a housekeeping item. Once we get approval from the legislature, we need to put it forth to town meeting to ‘create’ the bylaw.
    - Fire Department Recommendations
      - Establish residential building height bylaw.
      - Require a Knox key secure box on all commercial, business or industrial structures with an automatic fire alarm system.
      - Improve firefighting water bylaw.
      - Establish residential development of greater than five houses firefighting water supply bylaw.
      - Require periodic recertification of driveway bridges to H-20 loading capability.
      - Require marking of common driveway halfway point with a pull off area.
      - Require Residential fire sprinkler systems.
    - Green Community Initiative (spearheaded by Bolton Local)
      - Bolton must meet five (5) Qualifications
      - Adopt as-of-right siting for RE/AE generation, R+D, or manufacturing
      - Adopt the “Stretch Code”
  - E. Neyland discussed the possibility of a sewer district for Main Street.

**J. Karlon moved to adjourn the Planning Board meeting at 10:03 P.M. 2<sup>nd</sup> by E. Neyland. All in favor 5/0/0.**

EM      OK