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TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall – Board of Selectmen’s Room on **December 9, 2015** at 7:30 P.M.

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

Also Present: Erica Uriarte (Town Planner), Paul Giannetti (The Law Offices of Paul V. Giannetti), Michelle Tuck (Tuck & Tuck Architects), Greg Roy (Ducharme & Dillis Civil Design), Brandon Ducharme (Ducharme & Dillis Civil Design), Jane & Tim Houde (applicant), Fred Hamwey (Hamwey Engineering, Inc. – peer reviewer), Paul Slade (applicant), Fred Coon (applicant), Terry Abdalian, Rick Putprush, Nancy Skinner & Family

Call to order: 7:37 P.M.

Erik Neyland entered meeting at 7:50 P.M.

- Hearings

- The Planning Board held a continuation of a public hearing to hear and act upon the application of Houde Realty Trust, 476 Main Street, Bolton, MA 01740. The Applicant was seeking a Special Permit pursuant to Section 250-12 of the Code of the Town of Bolton to conduct a combination of retail, commercial and restaurant uses in a proposed building at 470 Main Street located in Bolton’s Business Zoning District identified on Assessor’s Map 4.D as Parcel 29.

- The applicant’s project team (P. Giannetti, M. Tuck, G. Roy, and B. Ducharme) summarized the remaining issues related to the project to the Board.
- The site plans were revised to show the sidewalk location along the frontage of the property (landscape plan). P. Giannetti requested the sidewalk be constructed at a later date at the direction of the Planning Board when the Town is prepared to install sidewalks along Main Street. This would be conditioned in the special permit and the permit would run with the land. If the applicant does not agree to construct the sidewalk, the Planning Board could revoke the special permit.
- The Board and P. Giannetti came to an agreement on the permit language regarding uses for the building. Since Bolton’s Zoning Bylaw doesn’t prohibit chains or franchises, they agreed that if the applicant decides to incorporate such a use, the applicant would come back to the Planning Board for approval (currently standalone franchises or chains are not located in Bolton).
 - If the special permit runs with the land and not the applicant, then the Board agrees that there should be a list of permitted and allowed uses as a condition and uses not outlined should require the applicant to come back to the Planning Board for their determination.
- A photometric plan was submitted to the Board for review. The plan indicated that lighting would be located on and around the building with no light spillage off the site. The light fixtures would be full cut-off light fixtures with no lights located near the wetlands. For safety, there would be a light fixture located at each doorway. In total, there would be three lampposts; one pole towards the front of the property and two poles at the back of the property. The porch lighting would shine downwards and lighting for the building signs would have gooseneck lights shining onto the signs. On/off light schedule would have the porch lights off when the building is closed and the lampposts running during

the same time as the Country Cupboard (11 p.m.). The Board suggested a dim setting for evening/overnight lighting.

- Firefighting water supply will meet the bylaw requirement of one gallon of water for each square foot of total floor area of buildings of combustible material (approximately 3,000 gallon fire cistern). Fire Department recommended a greater volume consistent with today's standards. Fred Hamwey stated that current Fire Code indicates 750 to 1,000 gallons/minute for a half hour (approximately 22,500 gallon to 30,000 gallon fire cistern). The Board will require the applicant to meet the bylaw requirement. The well will feed the fire cistern to ensure the cistern is full at all times. The Board will condition the design of the cistern in the permit.
- F. Hamwey is working with Ducharme & Dillis to finalize stormwater management. These revisions include comments from D. Spicer. There are some remaining drainage calculations to be revised (e.g., water quality, recharge, etc.).
- F. Hamwey approved the revised site plans.
- **J. Karlon motioned to close the hearing for 470 Main Street. 2nd by J. Keep. All in favor 5/0/0.**
- The Board will vote and finalize special permit at their next meeting.

- Business

- Paul Slade, ANR - Century Mill Road, Parcel 3.D-8
 - The applicant sought to subdivide Parcel 3.D-8 into two (2) buildable lots. Although significant wetlands on the property, both Lots 1 and 2 appear to meet the dimensional requirements for frontage lots.
 - **J. Karlon motioned to accept ANR Plan on Century Mill Road prepared by Foresite Engineering dated 11/25/15 creating Lots 1 and 2. 2nd by E. Neyland. All in favor 5/0/0.**
- Fred Coon, Century Mill Estates (CME) – Road C Bond Reduction
 - F. Coon requested bond reduction for the wall repair at the wetland crossing and partial completion of the fire cistern on Road C.
 - Prior to releasing any bond, the Board requested that outstanding bills related to police detail invoices, additional funds for Hamwey Engineering, Inc. for construction oversight and a noise violation from October 2015 be paid.
 - F. Coon agreed to pay these outstanding bills from the bond reduction.
 - **J. Karlon motioned to reduce the Road C bond for CME by \$20,295 of which \$2,640 will be secured to pay for police detail invoices, \$2,500 for Hamwey Engineering, Inc., and \$300 for noise violation therefore releasing \$14,855 to CME. 2nd by E. Neyland. All in favor 5/0/0.**
- Planning Board Review of ATM Articles 2016
 - Possible Cottage Overlay District (or Senior Residential Community Overlay District) at 357 Main Street
 - Discussion with R. Putprush and N. Skinner regarding possible location of a higher density housing overlay district at 357 Main Street.
 - R. Putprush discussed the history of 357 Main Street and the expansion of the existing building to fit the use of the current owner (as an auction house). The owner eventually moved their business from the space and placed the property for sale. The owner also donated a portion of the property to the Town for

conservation. R. Putprush became the realtor in 2013. He noted that the value of the property is with the land and not the building (no sprinkler system, not ADA compliant, etc.). It would be more cost efficient for a potential buyer to raze the building than to renovate. There has been various interest in the property including retail, mixed-use (not allowed with current zoning), sport facilities, assisted living facilities, solar farms, marijuana farms, self-storage, and assisted living facility. However, potential buyers are always reluctant once they see the lack of visibility of the site from Route 117. This is especially true for retail use (including self-storage facilities).

- N. Skinner, the owner, wants to find a buyer/use for the property that would provide a lasting legacy to the Town.
- Ducharme & Dillis conducted an analysis of the property to determine the potential build-out of the site. Given site constraints, approximately 48 bedrooms or 24 - two bedroom units could be developed. There is an existing septic system and a proposed well for future construction.
- R. Putprush feels that a cottage overlay district to expand the uses of the site from limited business to residential could help attract a developer. Residential may be more economically viable for the site. There is a similar use and site in Sudbury called "Dudley Brook".
- Given the few number of commercial properties in Bolton, E. Neyland would like to see the property developed as business. He was curious if there had been any interest in medical offices, emergency care - clinic, doctors, pharmacy, etc.
 - R. Putprush indicated that emergency care requires a smaller space (approximately 3,000 to 5,000 square feet) and are looking to lease, not purchase/renovate.
- The Board discussed the possibility of senior living, alternative housing types, and affordable units for aging population.
- T. Abdalian, Bolton resident, commented on the possibility of an overlay keeping in mind N. Skinner's goal to leave a legacy to the Town. T. Abdalian indicated a need for a community center or senior center in Bolton. She recommended the possibility of a residential development for both the young and old where a community center could be incorporated.
 - R. Putprush indicated that this might be difficult to accomplish given the size of the site. Often when amenities are included with housing, there are hundreds of units in the development.
- J. Keep suggested the possibility of a citizen's petition at town meeting for a development designed for the site. The current owner could, with or without a developer, bring a development plan forward at town meeting for approval.
 - R. Putprush indicated that the current owner is not interested in developing the site. It would also be

difficult to find a developer interested in pursuing this option (costly). Most developers look for a path of least resistance (parcels that are zoned properly for the proposed use).

- The Board will consider a cottage overlay district, but relayed that there was not sufficient time to develop a final bylaw for town meeting. They would also have to determine a second location for the overlay district to prevent spot zoning.
- The Board will continue to pursue/consider a cottage overlay district for 357 Main Street for next town meeting.
- The Board agreed as an initial step, they would consider adding the property to the mixed use village overlay district where residential and business could be considered together.
- **J. Karlon motioned to support article for ATM 2016 to add parcel known as the “Skinner property” (357 Main Street) to the mixed-use village overlay district. 2nd by E. Neyland. All in favor 5/0/0.**
 - Add new Subsection 250-23.G.(15) of Business, Commercial and Industrial Regulations
 - Provide option for Design Review Board to review commercial building permit applications.
 - Add new Subsection 250-17.D. Public Way Access Permit
 - Adopt Stretch Energy Code
 - As-of-Right Solar Photovoltaic Renewable Energy Installations Overlay District
 - Amend Section 250-13.F.(1) and add Subsection 250-13.F.(4) of Dimensional Regulations
 - Require a maximum building height for residential use. Board agreed to set soffit of building to a maximum of 31 feet.
 - Add new Subsection 250-23.E.(1)(j) of Business, Commercial and Industrial Regulations
 - Require a Knox Box at commercial buildings with automatic fire alarm systems.
 - Amend Section 250-17.B.(3)(a) and 250-17.B.(5)(a)[10] of Driveways and Parking
 - Require recertification of driveway bridges to AASHTO standards to ensure bridges can handle load from emergency vehicles.
 - Amend Section 250-27.L.(1)(a) of Inclusionary Housing
 - Update fee-in-lieu-of-units.
 - The Board added an article to revise the Schedule of Permitted Uses (Section 250-12) to change as-of-right siting for industrial uses (light manufacturing, research and development laboratories and bulk storage) to special permit.
- Administrative
 - Set Planning Board meeting schedule for January 2016 through June 2016
 - **J. Karlon motioned to accept schedule for Jan 2016 – June 2016. 2nd E. Neyland. All in favor 5/0/0.**
 - **Scheduled site visit for close out of the Clinton Savings Bank project for 8:00 A.M. on Friday, January 8th.**

J. Karlon moved to adjourn the Planning Board meeting at 10:20 P.M. 2nd by E. Neyland. All in favor
5/0/0.