

TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Meeting Held at the Town Hall – Board of Selectmen’s Room on **December 17, 2014** at 7:00 PM

Members Present: Gerard Ahearn (Chairman), Kay Stoner, Andy Kischitz, Matthew Hurd, Bradley Reed (Members), Jack Sargent (Associate)

Also Present: Erica Uriarte (Town Planner), Audra Guimond (711-713 Main Street), Mark O’Hagan (Craftsman Village Bolton, LLC)

Call to order: 7:06 PM

Hearings:

- In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice is hereby given that the Bolton Zoning Board of Appeals held a public hearing on Wednesday, December 17, 2014 at 7:00 p.m. in the Board of Selectmen Room of the Town Hall, 663 Main Street, Bolton, MA to hear and act upon the application of Audra M. Guimond who is seeking a Special Permit for the change in use that is pre-existing nonconforming associated with the property and structure located in Bolton’s Residential Zoning District at 711 Main Street identified on Assessor’s Map 1 as Parcel 4 pursuant to Section 250-3C of the Code of the Town of Bolton. The applicant is interested in renting a portion of the structure, which includes two rooms on the first floor and a single room on the second floor to operate a tutoring business called Laurel Learning. The space was previously a retail store and will not be modified in size.
 - o Upon further review of the town files for 711-713 Main Street by E. Uriarte, it was determined that there was a Special Permit issued in 2005 for the property that allowed for both retail and business professional services and therefore a change in use is not applicable.
 - o **G. Ahearn motion to approval withdrawal application for change in use at 711-713 Main Street. 2nd by Mathew Hurd. All in favor 5/0/0.**

Business:

- 7:15 p.m., Mark O’Hagan, Craftsman Village Bolton, LLC - Bolton Manor
 - o Application to modify the Comprehensive Permit and Plans for the previously approved Bolton Manor Project to be located on Sugar Road identified on Assessor’s Map 4.C Parcel 26. The Applicant is requesting for the Board to make a determination whether or not the modifications to the Comprehensive and Plans are considered “Substantial Changes to the Project”, formally requesting the transfer of the Comprehensive Permit from Sugar Road Realty Trust to Craftsman Village Bolton, LLC, and for the Board to approve modifying the subsidy program for the development from the New England Fund (NEF) Program to Local Initiative Program (LIP) through DHCD.
 - Nitsch Engineering provided review of the stormwater management system. Any outstanding items will need to be submitted prior to the issuance of building permits. These items will be submitted as needed after construction plans are completed.
 - Comments were received by Conservation Commission, Fire Dept. and DPW.
 - There will be four curb cuts along the front of the property to the development. Two of the entrances will lead to two of the proposed dwellings and a parking area that will likely be used for a school bus stop. The approved site plans originally called for two curb cuts. The entrance/exit to Colonial Candy is across the street.
 - Conservation and DPW stated concerns regarding the number of curb cuts on a scenic road.
 - Places Associates, Inc. (Engineer for Craftsman Village Bolton) reviewed sight distances and determined sufficient distance for the two new curb cuts.
 - **The Board agrees to the four curb cuts. The Board doesn’t anticipate the additional curb cuts to detract from the scenic appeal of Sugar Road.**
 - The Conservation Commission recommends a conservation restriction on the open space possibly including a portion of passive recreation area within the space.

- The Conservation Commission also recommends demarcating the 25 ft. buffer from wetland resource area with fencing or markings. M. O'Hagan will work with the Conservation Commission regarding this matter.
- Comments received from the Fire Department will be conditioned in the Comprehensive Permit including language about the cisterns and emergency vehicle access to the buildings. M. O'Hagan will also provide language in the proposed condominium association documents and sales agreement that access will remain cleared for emergency vehicles.
- The Fire Department also had concerns regarding the width of driveways recommending the width be increased to 20 ft.
 - **The Board determined a driveway width of 18 ft. will provide adequate access throughout the development.**
- M. O'Hagan anticipates starting construction spring or summer 2015.
- The Board and M. O'Hagan anticipate meeting again in January 2015 to discuss changes to the Comprehensive Permit language in order to advance the regulatory component with DHCD.
- 7:45 p.m., Sunset Ridge – Close out of 40B Project
 - o The Board reviewed outstanding construction items identified in Nitsch Engineering's Report dated July 2014 and compared it to the tentative schedule provided by Vin Gately of Heritage Properties to address these items.
 - Heritage Properties does not agree with Nitsch Engineering's recommendation to provided monuments along property boundary. The Board recommends that Heritage Properties provide monuments at corners that appear to be in space (review As-Built to determine which corners might need monuments).
 - The septic system ventilation was corrected by Heritage Properties and the odor issue has improved.
 - o The Condo Association also provided a list of outstanding construction items including street signage, sidewalk, and removal/grading of fill area.
 - o E. Uriarte to continue to monitor close out of project.

Administrative:

- Reviewed draft Planning Board Articles for ATM 2015.
- Approval of Minutes from July 28, 2014.

G. Ahearn motioned to adjourn the Zoning Board of Appeals meeting at 8:36 PM. 2nd by B. Reed. All in favor 5/0/0.

5/12/16
 M. Ahearn
 B. Reed
 C. Uriarte