

BOLTON BOARD OF APPEALS
Minutes
October 20, 2010 (Wednesday)
Bolton Town Hall

Present: Brad Reed, Alexander Kischitz, Kay Stoner, Matthew Hurd and Town Planner, Jennifer Atwood Burney.

Not Present: Gerard Ahearn and Jacqueline Smith

HEARING

None

GENERAL BUSINESS

7:30 pm **Modification of Comprehensive Permit for Bolton Manor – Sugar Road Map 4-C Parcel 26**
Applicant: Sugar Road Realty Trust

Present: Town Counsel, Ellen Doucette and the Applicant's counsel Lou Levine, Matt and John Sweeney as well as Peter Ross from the Public Safety Way Committee.

Applicant is requesting to be issued a building permit prior to the condominium documents being executed and recorded at the Registry of Deeds and prior to the commitment of financing.

Present were Alexander Kischitz, serving as Acting Chairman, Kay Stoner, Brad Reed and Matthew Hurd. Absent were Gerard Ahearn and Jacqueline Smith. The Board gave the Applicant the option to proceed forward or continue the hearing on another date when a full board is present. The Applicant stated that they would like to proceed forward tonight.

Peter Ross from the Public Safety Way Committee agreed that the bus stopping in the middle of the road makes safety sense and requested that a space be provided for kids waiting along with mail boxes and a turn out area. The area would hold 42 mail boxes, bus waiting area, be covered. Mr. Ross expressed concern about site visibility and requested that sidewalks be placed along the front of the development like Pondsides has. The Board stated that they agreed and would make sure this would be in place prior to the first Occupancy Permit being issued.

A motion was made by Brad Reed, seconded by Matthew Hurd that the requested modification was insubstantial and did not require a hearing and the final language of the decision would be reviewed and approved by Town Counsel and Town Planner.

Vote: 4/0/0

A motion was made by Brad Reed, seconded by Matthew Hurd that the requested modification was insubstantial and did not require a hearing and the final language of the decision would be reviewed and approved by Town Counsel and Town Planner and the decision be signed by all voting board members.

Vote: 5/0/0 unanimously approved

DECISION

That Section IV, Conditions, of the Comprehensive Permit granted by the Board on June 10, 2004 is hereby modified as follows:

1. Condition E.5 is deleted.
2. Condition E.9 is modified to read:

That detailed construction plans and specifications have been reviewed and have received final approval from the Town's consultants.

3. Add the following new Condition F.5:

That the Board and Town Counsel have reviewed and approved Condominium Documents prior to the issuance of the first occupancy permit.

4. Add the following new Condition G.36:

Approval of funding by the New England Fund is required subsequent to the issuance of the first building permit, but prior to sign off by the building inspector of the foundation construction of that unit. After the issuance of the first building permit, no other building permits shall issue until the Applicant has provided evidence that it has secured funding for the construction of the project.

OTHER BUSINESS

None

Next Meeting

TBA

Meeting adjourned at 9:30 pm

Minutes submitted by Jennifer Atwood Burney, Town Planner