

BOLTON BOARD OF APPEALS
Minutes
September 17, 2009
Town Hall

Present: Chairman, Gerard Ahearn, Brad Reed, Jacqueline Smith, Alexander Kischitz, Town Planner, Jennifer Atwood Burney.

Not Present: Kay Stoner

HEARING

None

GENERAL BUSINESS

1. 7:30 p.m. Sunset Ridge located on Wattaquaddock Hill Road

Applicant: Vin Gately

The Applicant is request to add a 3 car garage. Board to determine whether request is insubstantial or substantial.

Present: Vin Gately from Heritage Properties and abutter Bridget Halsey

The Chairman, Gerard Ahearn explained to the Applicant that Kay Stoner wasn't present and although there is a quorum a unanimous vote would be required. Mr. Ahearn gave the applicant the option of proceeding ahead or continuing the meeting to another date and time. The Applicant said he wanted to proceed ahead with the meeting tonight. The Chairman explained that the intent of tonight's meeting was to determine whether the request to add a 3-car garage was insubstantial or substantial according to the provisions of Mass. Gen. Laws c. 40B, §21 and the provisions of 760 CMR 56.05 (11) and 56.07 (4).

The Applicant explained that he had buyers interested in additional garage space. The garage would have 3 doors, electricity for interior lights and garage door opener. It would also have a small apron but not enough to park a car on the apron. Each garage space would be provided for only the market rate units that only had one garage and requested another space. Jackie Smith asked what was at the proposed site for the garages. Mr. Gately responded that nothing was there. The gate for the assess road would be relocated slightly and the street would be paved a little more. Brad Reed asked the size of the building and if the area was level. Mr. Gately stated 36x21 and the area is level. Gerard Ahearn asked the height of the building. Mr. Gately responded that he wasn't sure but it would not exceed the requirements of the building permit. The board asked if there were going to be outdoor lighting. Mr. Gately responded that no exterior lighting would be added just the existing lighting throughout the development that has already been approved by the board. The Board discussed the additional impervious surface and felt it would not have much of an impact. Brad Reed asked if the addition of the garage would have

any impact on the affordable units because all units are to appear the same from the exterior. Mr. Ahearn replied that it would not because the garage is detached. At this point it was decided that in order to keep affordable and market rate units as similar as possible, an additional detached garage could only be offered from this proposed 3-bay detached garage to a one car garage unit. The Board asked if trees would have to be cut down to accommodate the garage. Mr. Gately stated that no additional trees would come down and there is no direct house behind. The garage does not infringe on any setbacks. Ms. Halsey inquired about the Board's recent approval of the sunrooms. Mr. Gately responded that the sunrooms would not be part of the existing foundation of the units. The units could have a patio area and/or sunroom. Ms. Halsey asked if the addition of the sunrooms and garage would change the Stormwater conditions. The Board replied that it felt it would not but if the applicant returns with any further requests for garages it would require engineering to look at the Stormwater. The Board asked if it was possible to expand the 1-car garage units to have 2-car garages. The Applicant replied that due to the space limit between buildings it was not possible. Mr. Ahearn asked where other possible garage locations could be. Mr. Gately replied possibly in parking space areas.

A motion was made by Brad Reed, seconded by Jackie Smith to vote that the request to add a 3-car garage was deemed insubstantial according to provisions of Mass. Gen. Laws c. 40B, §21 and the provisions of 760 CMR 56.05 (11) and 56.07 (4).

Vote: 4/0/0 unanimously approved

A motion was made by Brad Reed, seconded by Jackie Smith to approve the request to add a 3-bay detached garage conforming to the footprint with the plan submitted to the board provided that 1-garage is sold to units with not more than 1-attached garage and that the request meets the minimum requirement of Section F.8 of the Comprehensive Permit.

4/0/0 approved unanimously

2. The Board reviewed a letter provided by Nitsch Engineering in regards to the guardrail at Sunset Ridge. The Board had some concern since it is not a Mass Highway approved rail. After review of the letter the Board stated that they are satisfied with Nitsch's recommendations and the current guardrail. There may be a need for a small section near the septic area.
3. The Board reviewed two letters provided by the Board of Health regarding the septic system at Sunset Ridge.

Next Meeting

September 29, 2008 at 7:30pm

Meeting adjourned at 9:00 pm

Minutes submitted by Jennifer Atwood Burney, Town Planner