

BOLTON BOARD OF APPEALS
MINUTES
August 12, 2008 at 7:30 p.m.
Bolton Town Hall

Present: Chairman, Gerard Ahearn, Brad Reed, Jacqueline Smith, Alexander Kischitz, Kay Stoner, Town Planner, Jennifer Atwood Burney and Town Counsel, Ellen Doucette.

HEARING

1. 7:30 p.m. Regency of Bolton, Main Street
Applicant: Toll Brothers – Shawn Nuckolls, Project Manager

Present: Toll Brothers – Shawn Nuckolls, Project Manager

The Board had closed the hearing on July 8, 2008 and tonight discussed two remaining concerns; DEP septic requirement and whether or not a certain percentage of the affordable units have to be designated with the 80/20% FHA requirement. Ellen Doucette, town counsel explained to the Board that the septic system would have to be compliant even if the ZBA approves the modification request. The Board could approve the modification tonight or wait until DEP provides a formal letter, which the applicant will provide. Mr. Nuckolls stated that Toll Brothers has not done an engineering analysis of the septic system based on the 80/20. The Board reviewed the draft modification that replaces condition “D” of the Comprehensive Permit. Mr. Ahearn asked Town Counsel if the DEP requirement should be part of the decision. Town Counsel replied that this wasn’t necessary unless the board felt they would be more comfortable. The Regency would not be able to obtain occupancy permits if the septic system didn’t comply. Mark Kablack attorney for the Regency submitted a letter dated August 7, 2008 granting an extension to the Board of Appeals.

A motion was made by Alexander Kischitz, seconded by Gerard Ahearn to continue to October 31, 2008 and formally accept the letter dated August 7, 2008 granting an extension.

Vote: APPROVED 5/0/0

2. 8:15 p.m. Sunset Ridge – Wattaquodock Hill Road.
Applicant: Vin Gately for Sunset Ridge Housing Corp.

Present: Vin Gately for Sunset Ridge Housing Corp., Engineer, Ben Smith for Sunset Ridge, peer review engineer, Steven Ventresca and abutter Bridget Halsey.

The Board reviewed the second peer review dated August 8, 2008 provided by Nitsch Engineering. The main item of concern is drainage. Steve Ventresca requested final construction plans with final design and drainage calculations. In addition because the drainage offset being captured is less than 5,000 the isolated wetland is out of the town and Army Corp. of Engineers jurisdiction. Brad Reed asked about the pre and post calculations and was told that this would be

provided in the final design and calculations. Ben Smith explained to the Board that the original detention pond designed by Ducharme and Dillis was designed for 20 acres that doesn't even flow into the pond but drains to the road. This was confirmed by Nitsch during a recent site walk. Mr. Smith stated that he cannot stamp the work of another engineer who originally designed the detention basin but would like to submit a modification of the detention pond with his engineer stamp. If the entire detention pond had to be redesigned it would be very costly to the applicant. Mr. Smith will provide this in letter format as well, and will be an addendum to the original report. Mr. Ahearn asked Mr. Ventresca his opinion. Mr. Ventresca agreed that a redesign wasn't needed but pre and post calculations should be applied to the new basin design. Hydro flow calculations should be provided. Ben Smith indicated that he had already submitted this in a drainage report that was previously provided. Mr. Smith and Mr. Ventresca agreed to have a further conversation in regards to the calculations submitted and the stamped copy that is still required. Mr. Ventresca also requested that the survey be included in the stamped plans.

Also discussed was item number 62 that references the public water supply and DEP five day flow test requirement. Mr. Gately stated that Bolton Board of Health concerns in regards to signage will all be taken care of under DEP requirements.

Mr. Reed requested that item number 20, trash removal be added as a note on the plans.

Mr. Gately stated that other items in the review letter would be addressed.

The Town Planner requested that next steps be discussed. One more review round would be necessary. Both engineers, Mr. Smith and Mr. Ventresca would have a further discussion. Final Plans would be submitted and eventually "As Builts".

The Board and Applicant Vin Gately reviewed a request by Nitsch Engineering for a sum of \$4,000 for additional fees to review the modified detention basin. Mr. Gately stated that it cost \$3,600 to design the basin and felt that \$4,000 was a bit high. Mr. Ventresca agreed to speak to Sandy Brock, Nitsch Project Manager and review the additional hours required to review the detention basin modification.

The Board, the town planner and applicant Vin Gately reviewed the three proposals submitted for peer review engineer for site inspections services. After review, a decision was made to hire Nitsch Engineering.

Abutter, Bridget Halsey requested additional information on the 2 wells and whether they will be decommissioned or used as a sprinkler. She also requested a copy of the Nitsch review and a copy of the letter from Vin Gately to the Board of Health.

GENERAL BUSINESS

1. The Board approved of Minutes from May 27, 2008, June 17, 2008 & July 8, 2008

Next Meeting

September 23, 2008 at 7:30pm

Meeting adjourned at 9:45 pm

Minutes submitted by Jennifer Atwood Burney, Town Planner