

**BOLTON BOARD OF APPEALS**  
**Minutes of Meeting**  
**April 19, 2006 at 7:00 P.M.**

Present: Gerard Ahearn, Jake Foote, Jackie Smith, Kay Stoner, Nat Tipton (Town Planner)

**1. Riverside Comprehensive Permit Hearing – Continued from March 16, 2006**

Ahearn started off the meeting by mentioning that DHCD has not responded to the town's request for a waiver from their ruling that the affordable units permitted for the Sunset Ridge project counted in 2006 rather than 2005 for the purposes of certification. As discussed at the last session of the hearing at the urging of abutters, the board wanted to get a ruling from DHCD on this issue.

Ahearn mentioned that a peer review of the eight unit proforma will be undertaken. Foote suggested contacting Boxboro, Harvard, Stow, and other communities to see what consultants they have used to perform pro-forma reviews. Tipton agreed to contact O'Hagan and seek consent from the applicant on the Board's choice.

Ahearn reviewed comments received from boards and committees since the previous meeting on March 16. The Public Ways Safety Committee submitted a memo stating they have no preference for the six or eight unit plan. They recommend requiring a paved or gravel area placed towards the front of the parcel for children to wait for the school bus. John Karlon, associate member of the Planning board submitted a memo supporting the eight unit plan over the six unit plan as it offers two extra affordable units to add to the town's subsidized housing inventory. He also suggested the applicant should be required to donate artifacts discovered on the site to the Bolton Historical Society. In a memo to the Board, the Conservation Commission recommends denying the project if the town receives the waiver. If the town did not receive the waiver, the Commission recommended approving the eight unit project to maximize the affordable units to count towards certification and the subsidized housing inventory. The Commission is concerned that neither plan shows stormwater management plans. The Commission recommended the developer grant a trail easement across the lower portion of the property running parallel to Still River and area with the Priority Habitat Area be deeded to the Massachusetts Department of Fisheries and Wildlife. Doug Storey from the Planning Board and Affordable Housing Partnership submitted a memo to the board stating he preferred the eight unit plan and it was very important to maintain certification.

O'Hagan reviewed the six unit plan. The site layout differs from the eight unit plan in part that the wells are pulled further up from the back. For drainage, the soils are generally sandy and fast percing. O'Hagan stated the site lends itself to using infiltration.

Roxanne Burney of Autumn Lane stated she preferred the six unit plan, though she stated she was confused as to why nothing had been accomplished in the hearing over the past three months. She stated that six units was still too dense for the site to handle. She also stated she did not see why certification was so important, as there was nothing in the pipeline in terms of larger projects. We would lose certification anyway in 2007 without a large project and would only provide a one year freeze.

O'Hagan mentioned he would deed a portion of the backland to Massachusetts Fish and Wildlife.

David Burney of Autumn Lane stated the scale of projects for both plans is the biggest issue for him. He stated he was disappointed with the aesthetics remarks in some of the comments. He cautioned the Board that there was nothing preventing the applicant from selling the project after receiving a permit. Four units would be acceptable to him.

Roxanne Burney stated this was a huge improvement from original plan, the farm houses architectural style would look nice, but if the Board approved eight units it would not be over. Smith asked what would the Board say to the rest of the town if it only approved four units and we lost certification because of its choice. Ahearn stated the six unit plan was preferable because it is more in line with the density concerns of neighbors and offers a greater percentage of affordability. David Burney stated he felt it was the wrong project to catch up on. .

The board continued the hearing to May 17th at 7pm. A pro-forma review will be prepared for the next meeting.

## **2 Requested Pondsides/Regency Changes from approved plan**

Present: Mark O'Hagan

Tipton explained that he had been in contact with Toll Brothers on oversight on the project. One option is to have an escrow account established to pay for project oversight of road/building construction as authorized by the permit. Hamwey Engineering had been contacted to perform the services. It was decided that Tipton would contact the building inspector to find out if he will need assistance to perform the inspections.