

TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Meeting Held at the Board of Selectmen Room of Town Hall on **May 28, 2019** at 7:00 PM

Members Present: Gerard Ahearn (Chairman), Kay Stoner, Andy Kischitz, Bradley Reed, Bryan Holmes and Allysann Ingram (Associate)

Also Present: Erica Uriarte (Town Planner)

Call to order: 7:00 PM

Public Hearing:

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice was hereby given that the Bolton Zoning Board of Appeals held a public hearing on Tuesday, May 28, 2019 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 Thomas & Donna Broomfield, 146 Still River Road, Bolton, MA 01740. The applicant sought a variance for a proposed addition to the existing dwelling located in Bolton's Residential Zoning District at 146 Still River Road identified on Assessor's Map 6.A as Parcel 13. The applicant sought a variance for front yard setback pursuant to Section 250-13.B of the Code of the Town of Bolton.

- Gerard Ahearn opened the public hearing by reading the legal notice. Gerard also read the criteria required to grant a variance.
- Thomas Broomfield was present and indicated that his pre-existing nonconforming house was located within the 50 ft. front yard setback. Mr. Broomfield noted that the addition could not connect to the existing house without being constructed within the 50 ft. front yard setback. The square footage of the addition is less than 100% of the footprint of the existing house.
- Mr. Broomfield indicated that the backyard sloped down towards existing wetlands limiting alternate locations on the property for the addition. Regardless, any addition to the rear of the house would still encroach within the 50 ft. front yard setback.
- The proposed addition is 17 ft. from the front property line which is more conforming than the existing house.
- It was noted that there is an existing shed located on the side of the property.
- **Bradley Reed motioned to close the public hearing for 146 Still River Road. 2nd by Andy Kischitz. All in favor 5/0/0.**
- **Bradley Reed motioned to grant the variance for the proposed addition at 146 Still River Road based on the pre-existing nonconforming nature of the existing house and the steeper topography to the rear of the property; subject to the addition being no larger than the existing house and in substantial conformance with the submitted plans. 2nd by Bryan Holmes. All in favor 5/0/0.**
- **Kay Stoner moved to authorize Erica Uriarte to work with Gerard Ahearn to draft the decision and for Gerard Ahearn to sign the decision on behalf of the Board. 2nd by Bryan. All in favor 5/0/0.**

Business:

Sunset Ridge 40B Project – Close Out

The Zoning Board of Appeals agreed to release the remaining bond being held for any potential public road damage caused by the construction of the project. The project is completed and no road damage was reported.

- **Bradley Reed motioned to release the \$12k bond being held for Sunset Ridge through a triparty agreement with Main Street Bank. 2nd by Kay Stoner. 5/0/0.**

Administrative:

The Zoning Board of Appeals approved meeting minutes for August 28, 2018 and February 13, 2019.

Bryan Holmes motioned to adjourn the Zoning Board of Appeals meeting at 7:37 PM. 2nd by Bradley Reed. All in favor 5/0/0.