

## TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Remote Meeting held on October 5, 2020 at 6:00 p.m. via Zoom Communications, Inc.

Members Present: Gerard Ahearn (Chairman), Andy Kischitz, Bradley Reed, and Kay Stoner

Members Absent: Bryan Holmes

Also Present: Erica Uriarte (Town Planner), Joe Peznola (MHP Consultant for The Woods at Farm Rd 40B)

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public meeting of the Town of Bolton Planning Board was conducted via remote participation. No in-person attendance of members of the public were permitted, but the public can access this meeting while in progress using **Zoom Video Communications, Inc. (Zoom)**. Members of the public attending this meeting virtually were allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by telephone, cell phone or personal computer using Zoom.

Directions to connect to the public meeting were provided on the agenda.

The Zoning Board of Appeals conducted a roll call of all members present including Gerard Ahearn, Andy Kischitz, Bradley Reed, and Kay Stoner.

### PUBLIC HEARINGS

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice was hereby given that the Bolton Zoning Board of Appeals held a continuation of a public hearing via remote participation on Monday, October 5, 2020, at **6:00 p.m.** to hear and act upon the application of The Woods at Farm Road, LLC and Deschenes & Farrell, PC. The applicant seeks a Comprehensive Permit for a proposed housing development entitled “**The Woods at Farm Road**” to be located in Bolton’s Residential Zoning District at the corner of Farm and Berlin Roads identified on Assessor’s Map 3.C as Parcel 72 (2.47 acres). The proposed development consists of four (4) single-family detached homeownership units. Three (3) of the units will be sold at market rate and one (1) of the units will be sold as affordable to those who earn 80% or less of the area median family income to be counted on the Town of Bolton’s affordable housing inventory in accordance with G.L. c. 40B.

- Gerard Ahearn read the legal notice aloud to open the public hearing.
- The Board, Applicant (Deschenes & Farrell, P.C.) and Joe Peznola (MHP Consultant) reviewed a draft decision for the project. Doug Deschenes, Joe Peznola and Town Counsel were sent the decision prior to the hearing to provide comments/edits. These edits and comments were discussed including procedural history, findings of fact, and project conditions. A copy of the decision reviewed during the hearing is attached.
- The Board agreed to allow stone façade as an exterior option for up to two market rate units. The condition shall read “*Stone façade shall be provided to no more than two units in the development so that the exterior of at least one of the market rate units and the affordable unit will be indistinguishable.*”
- Updated architectural drawings will be submitted as a condition of the project, but will not be required to be stamped.

**Approved at October 26, 2020 meeting via Zoom participation by  
GA, BH, AK, BR, KS (EU)**

- The Stormwater Operation & Maintenance Manual as well as a maintenance schedule for the nitrogen reduction treatment system will be provided as attachments to future condominium documents.
- Doug Deschenes requested an additional waiver be added to the list of waivers to allow for the removal of the existing drainage structure in Berlin Road to allow work within 16 ft. from the edge of wetlands.
- **Andy Kischitz motioned to approve waiver request from Bolton Wetlands Bylaw §233-2. Jurisdiction and associated regulations to allow for the removal of the existing drainage structure in Berlin Road to allow work within 16 ft. from the edge of wetlands. 2<sup>nd</sup> by Bradley Reed. All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner.**
- It was agreed upon by the Board, the Applicant and Joe Peznola that all pertinent information had been received during the public hearing process for the Board to deliberate and vote on the project. No extensions to the 180-day deadline to conduct the public hearing was requested by the Board.
- **Bradley Reed motioned to close the public hearing for The Woods at Farm Road. 2<sup>nd</sup> by Kay Stoner. All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner – Yes.**
- The Board will deliberate and vote at a future public meeting. The Board has 40 days from the close of the hearing to render a decision.
- The Board tentatively scheduled their next meeting for Monday, October 26, 2020, at 6 p.m. via Zoom. Erica Uriarte will check schedule with Bryan Holmes.
- Bryan Holmes will attest in writing that he reviewed the recording and/or meeting minutes for this meeting.

**ADMINISTRATION**

Approval of meeting minutes.

- **Bradley Reed motioned to approve meeting minutes from September 22, 2020. 2<sup>nd</sup> by Kay Stoner. All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner – Yes.**

**Bradley Reed motioned to adjourn the meeting at 7:05 p.m. 2<sup>nd</sup> by Andy Kischitz. All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner – Yes.**