

## TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Remote Meeting held on October 26, 2020 at 6:00 p.m. via Zoom Communications, Inc.

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

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, Bryan Holmes, Andy Kischitz, Bradley Reed, and Kay Stoner.

### BUSINESS

#### **6:00 p.m. The Woods at Farm Road 40B Development**

- The Woods at Farm Road, LLC and Deschenes & Farrell, PC seek 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.
- The public hearing for this application was closed on October 5, 2020. No further public comments will be heard.
- The Zoning Board of Appeals (the “Board”) deliberated on a draft decision that had been reviewed prior to the meeting by the Board, the Applicant, and Joe Peznola from Hancock Associates (MHP Consultant).
- As a point of order, Mr. Peznola noted that he and/or the Applicant could weigh in if the Board needed further clarification on matters of the draft decision.
- The Board walked through the sections of the draft decision including “Procedural History, Governing Law, Findings of Fact, Request for Waivers and Exemptions, Decision, Conditions, Record Vote, Filed with the Town Clerk, Certificate of No Appeal, and Appendix A: Record Documents”.
- Bradley Reed asked for clarification regarding the anticipated schedule for construction.
  - Doug Deschenes from Deschenes & Farrell, PC stated the following schedule:
    - Once the decision is recorded with the Town Clerk, there will be a 20-day appeal period.
    - The Applicant will then resubmit to MassHousing for Final Site Approval. The State will compare the Comprehensive Permit with the previous Site Approval as well as finalize the Regulatory Agreement and Deed Rider.
    - This will likely take 60 to 90 days.

- It is anticipated that the Applicant will begin construction in the spring of 2021.
- Bryan Holmes attested in writing that he reviewed the recording and/or meeting minutes for the October 5, 2020 public hearing.
- Erica Uriarte will ensure the attestations from Andy Kischitz and Bryan Holmes are made part of the record and noted in the Appendix of the decision.
- The Board had no further comments.
- Gerard Ahearn, Chair, called for a motion from the Board to approve the decision.
- **Bryan Holmes motioned to approve the Comprehensive Permit for The Woods at Farm Road in accordance with the draft decision reviewed during the meeting. 2<sup>nd</sup> by Andy Kischitz. All in favor by roll call: Gerard Ahearn – Yes, Bryan Holmes – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner – Yes.**

#### **ADMINISTRATION**

Approval of meeting minutes.

- **Andy Kischitz motioned to approve meeting minutes from October 5, 2020. 2<sup>nd</sup> by Bradley Reed. All in favor by roll call: Gerard Ahearn – Yes, Bryan Holmes – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner – Yes.**

The Board will meet again on December 1, 2020.

**Bradley Reed motioned to adjourn the meeting at 6:46 p.m. 2<sup>nd</sup> by Bryan Holmes. All in favor by roll call: Gerard Ahearn – Yes, Bryan Holmes – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, and Kay Stoner – Yes.**