

TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Remote Meeting held on February 1, 2022 at 5:45 p.m. via Zoom Communications, Inc.

Members Present: Gerard Ahearn (Chairman), Bryan Holmes, Andy Kischitz, Bradley Reed, Gabrielle Lomanno (Associate), Elisabeth Hutchins (Associate)

Also Present: Valerie Oorthuys (Town Planner)

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 (Chairman), Bryan Holmes, Andy Kischitz, Bradley Reed, Gabrielle Lomanno (Associate), and Elisabeth Hutchins (Associate).

BUSINESS

Review and Approval of Decision for Variance to construct a 24 foot by 30 foot pole barn, 50 Golden Run Road

The ZBA reviewed a draft decision for the 50 Golden Run Road Variance.

Bradley Reed motioned to approved the Variance to construct a 24 foot by 30 foot pole barn at 50 Golden Run Road and to authorize Gerard Ahearn to endorse the decision on behalf of the Zoning Board of Appeals. 2nd by Andy Kischitz. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bryan Holmes – Yes; Bradley Reed – Yes, Elisabeth Hutchins (Associate)-Yes (5/0/0).**

PUBLIC HEARINGS

Comprehensive Permit, Mallard Lane

Age-Restricted Development along South Bolton Road, Map 2.C Parcel 15.1

Present:

Janet Bernardo, Horsley Witten Group (Town's Peer Reviewer)

Amy Ball, Horsley Witten Group (Town's Peer Reviewer)

Joe Peznola, Hancock Associates (Town's Peer Reviewer)

Jim Morin, Northeast Classic Builders, Applicant

Janet Bernardo provided a review of the third peer review letter dated January 26, 2022. The peer review letter mainly regards stormwater concerns. Janet Bernardo said the largest outstanding item is a revised stormwater report that needs to be provided in order to confirm proposed site conditions. In addition, grading above infiltration system A and infiltration system B in the cul-de-sac need to be reviewed.

Janet Bernardo stated the roof drains should be reviewed, as the current plans show water hitting the pavement and being conveyed along the roadway. Roof runoff is considered 'clean' so there is an opportunity to have the water infiltrate from the downspouts rather than becoming 'dirty' by hitting the road.

Amy Ball said that their comment related to the Applicant's filing of an ANRAD still holds. There was a Determination of Applicability done in 2019 which holds until 2023, however the determination only covered the larger wetland area. Wetland flags numbered 1 and 2 are missing from the plans around the larger wetland area. Amy Ball questioned whether that area serves as an isolated wetland subject to flooding and noted that the applicant previously said that answer would come after they file with the Conservation Commission. Other questions include confirmation of the vernal pool certification, which would come with more stringent regulations. The applicant should detail the waivers they seek from the local wetland regulations, including whether they are able to present or consider alternatives that would result in less impact to buffer areas. The applicant has not yet itemized the waivers sought.

Brad Reed asked about the sewer force main and backup power in the case of an elongated power outage. Janet Bernardo said that the tank is typically required to hold 48 hours of waste.

Lis Hutchins asked about well regulations. Janet Bernardo described the required distances between wells, septic, common drives, and wetland resource areas.

Andy Kischitz asked about the dissolution of Northeast Classic Builders. Jim Morin said he would bring the entity into compliance shortly. Joe Peznola noted the Board could issue the permit to Jim Morin directly if this is an ongoing concern at the time the decision is issued.

Jim Morin stated that his engineer is working on plan revisions to reduce the number of units from 11 to 8, thereby providing more space on site for the necessary infrastructure.

Bradley Reed motioned to continue the public hearing to March 15, 2022 at 6:00pm. 2nd by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes, Elisabeth Hutchins (Associate)-Yes (5/0/0).**

ADMINISTRATION

Approval of Meeting Minutes

Andy Kischitz motioned to approve the minutes of November 8, 2021 as written. 2nd by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes (4/0/0).**

Bradley Reed motioned to adjourn the meeting at 7:30 p.m. 2nd by Andy Kischitz. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes (4/0/0).**

Respectfully Submitted,
Valerie Oorthuys