

TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Remote Meeting held on May 31, 2022 at 6:30 p.m. via Zoom Communications, Inc.

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

PUBLIC HEARINGS

Modification of Special Permit to expand or alter pre-existing nonconforming uses and structures, 711-713 Main Street

Present:

Tim Hess, AIA, Studio InSitu Architects

Craig Bovaird, Owner

Gerard Ahearn noted the public hearing is a continuation from May 12, 2022.

Tim Hess said the 2005 Special Permit indicates approval to renovate the barn into two retail units. The barn has not been renovated, though it is the owner's intent. Craig Bovaird stated his intent to lease with a retail establishment such as an ice cream shop or a coffee shop.

Gerard Ahearn noted constraints of the site, such as water and wastewater needs as well as wetlands resource areas. Tim Hess acknowledged the limitations, and indicated they are being factored into their planning. Tim Hess shared a document indicating proposed septic flow rate needs in three scenarios, depending on whether the apartment at 713 Main Street is a 2 bedroom, 1 bedroom, or if it is converted to office space. This chart indicates the remaining flow available for barn uses.

Andy Kischitz asked if the flow rates for retail are the same as for food establishments.

Tim Hess provided a parking overview of the site and surrounding areas, noting that while parking isn't included in this Special Permit request, it will be considered more fully if the

expansion of uses is allowed through this application. The applicant will seek to construct 6 parking spaces along the western edge of the property, mostly on Town-owned land. The construction of parking will require Town Meeting approval of an easement. Tim Hess provided an overview of parking available in the area, including 20 spots at Town Hall, 22 spots at the Town Commons, and 13 on-street parking spots along Route 117. Further parking includes 24 spaces at the library, 10 spaces at the Houghton Building, and 30 spaces at Memorial Field. It is unclear whether a business would be able to direct customers or clients to municipally owned lots or count municipally owned parking spots toward their parking requirement.

Gerard Ahearn noted the existing Special Permit conditioned approval on the provision of an affordable housing unit to be sold. Tim Hess acknowledged that the prior owner never acted on this condition because the unit was rented and not sold. The unit is proposed to continue as a rental unit.

Brad Reed asked about the nature of conversations with other Town Boards and Committees. Tim Hess said the Historical Commission and Economic Development Commission were very supportive of the efforts made to restore the property and bring in businesses. The Select Board was also quite favorable of these plans in concept and the applicant is continuing to discuss the parking needs at the Town Commons with the Town Administrator.

Bryan Holmes noted the need to clarify responsibility of maintenance, including snow plowing, of the proposed 6 parking spaces at the driveway to the Town Commons.

Roland Ochsenbein, 702 Main Street, expressed support for the project and appreciation for the applicant's interest in maintaining and restoring the historic architecture of the structures. Roland Ochsenbein asked that exterior lighting is reduced to the extent possible, as the property is within a residential district.

Elisabeth Hutchins moved to continue the public hearing to June 21, 2022 at 6:30pm. 2nd by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Bradley Reed – Yes, Bryan Holmes- Yes, Andy Kischitz-Yes, Elisabeth Hutchins – Yes (5/0/0).**

Special Permit to expand or alter pre-existing nonconforming uses and structures, 113 Still River Road

Present:

Tom Broomfield, Applicant

Corinne Maleski, Applicant

Gerard Ahearn read the public hearing notice to open the public hearing.

Tom Broomfield provided an overview of the existing uses at 113 Still River Road. The property is within the residential district and is a mixed use pre-existing nonconforming property currently providing approximately 2,699 square feet of office space and an approximately 1,300 square foot two-bedroom apartment. The Special Permit would allow the conversion of 724 square feet of office space into a second one-bedroom apartment. The footprint of the building is

not proposed to be expanded. Tom Broomfield noted the need for increased rental housing options in Town.

Gerard Ahearn asked about the number of employees utilizing the current office space. Tom Broomfield said that about 6 or 7 people were working in the section of the structure intended to be converted to an apartment, with about 15 people total working in the office spaces. With the pandemic, the need for office space has declined. Gerard Ahearn noted the proposed use as a one-bedroom apartment may provide less of an impact on the surrounding neighborhood due the lower level of anticipated traffic.

Andy Kischitz asked about the status of the septic system. Tom Broomfield said a new septic system was installed a few years prior and its capacity can handle three bedrooms in addition to the commercial use, so it is right-sized for the proposed uses. The Board of Health would need to provide their approval prior to construction. A new well was also installed around the same time.

Tom Broomfield reviewed the sketch for the proposed conversion, stating that there is an approved firewall that separates the existing two-bedroom apartment and 724 square foot area proposed as a one-bedroom apartment from the existing office uses. This wall was installed previously at the request of the Building Inspector.

Corinne Maleski stated that the exterior egresses noted on the sketch are already in existence and there are no proposed exterior changes to the structure.

Corinne Maleski stated that the structure is not currently owner-occupied and is not proposed to be owner-occupied, however both she and Tom Broomfield reside in Bolton and intend to maintain the property as they are currently.

Brad Reed moved to continue the public hearing on 113 Still River Road to Tuesday, June 21st at 6pm. 2nd by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Bradley Reed – Yes, Bryan Holmes- Yes, Andy Kischitz- Yes, Elisabeth Hutchins – Yes (5/0/0).**

ADMINISTRATION

Approval of Meeting Minutes

Bryan Holmes moved to approve the minutes of March 16, 2022 and April 6, 2022 as amended. 2nd by Elisabeth Hutchins. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes, Elisabeth Hutchins- Yes (5/0/0).**

Brad Reed moved to adjourn the meeting at 6:15 p.m. 2nd by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes, Elisabeth Hutchins- Yes, Gabrielle Lomanno (Associate)- Yes (6/0/0).**

Respectfully Submitted,
Valerie Oorthuys