

## PLANNING BOARD MINUTES

Wednesday, March 9, 2022, at 7:30 p.m.

### Remote Public Meeting

**Members Present:** Mark Sprague (Chair), Peter Driscoll (Vice Chair), Michael Gorr, Erik Neyland, James Barr

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)**. 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.

A roll call was conducted of all Planning Board members present: Peter Driscoll - Yes, Michael Gorr- Yes; Mark Sprague (Chair)- Yes; Erik Neyland- Yes; James Barr-Yes.

## ADMINISTRATION

### Correspondence

- **Planners Report**

- Nashua River Communities Resilient Lands Project*

- This two-year project supported by the Massachusetts Municipal Vulnerability Preparedness (MVP) Program focuses on understanding the potential for land use and land management policies and practices to support climate resilience and regeneration in the region over the coming decades. The tangible outcomes of this community- based process will include land management guides for forests, turf, and ornamental lands, model wetland bylaws and regulations that respond to the climate emergency, and a framework for ongoing community participation in decisions that affect the integrity and continued viability of our landscapes. The project website is available [through this link](#).

- Open Meeting Law Extension*

- The ability to hold remote meetings has been extended to July 1, 2022, allowing Boards to continue to meet remotely. The Board agreed that remote meetings have worked well, though they would reevaluate in the coming months.

- Foundation Only Permits*

- Developers continue to request foundation only permits. The Planning Board agreed these should be treated as Building Permits and only provided if requirements for a Building Permit have been satisfied.

*Discussion of Split zoned parcels*

The owner of 460 Main Street has checked in again regarding the split zoning on his parcel. He would like to speak to the Board about plans for developing the parcel and ask that the Board consider this at the next town meeting. The Board agreed that this conversation should start in the early summer, to provide ample time to prepare a potential zoning article for Annual Town Meeting 2023. The Board agreed that a discussion should include property owners of split zoned parcels as well as feedback from the public.

*Master Plan Updates*

Recent task group meetings held include discussion around Open Space & Recreation, Land Use, and Municipal Facilities and Services. Staff are working on an Expression of Interest to put Bolton in a good place to apply for a Housing Choice grant in June to provide funding for a consulting firm to provide technical assistance.

*Business District Assessment and Market Analysis*

The consultant has begun to conduct interviews with land owners in the business district and plans to interview a commercial realtor to round out the understanding of the commercial outlook in town. Next steps include a meeting with the core leadership team for the grant on Monday night. In the coming weeks and months, we'll look to begin surveying business owners and residents. The grant is still intended to conclude by June.

*Upcoming Meetings*

March 23: Laurel Road Backland Lot SP, 7:15pm

April: Modification of 580 Main Street Special Permit, along with discussion of the Comprehensive Permit to provide comments to the ZBA.

**Approval of Meeting Minutes**

Michael Gorr moved to accept the minutes of February 9, 2022 as written. 2<sup>nd</sup> by Pete Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr- Yes. (5/0/0).**

**PUBLIC HEARINGS**

**Preliminary Phase of a Farmland and Open Space Planned Residential Development (FOSPRD), South Bolton Road, Map 2.C Parcel 23**

*Continued from October 27, 2021, November 10, 2021, January 12, 2022, and February 9, 2022*

*Present:*

Jeff Motha, Applicant

Jeff Motha said that he has received feedback from the Natural Heritage and Endangered Species Program and a herpetologist will need to be hired to review the property. Jeff Motha asked for a continuance to the Board's meeting of April 13<sup>th</sup>.

Michael Gorr moved to continue the public hearing for the Preliminary Phase of a Farmland and Open Space Planned Residential Development at Map 2.C Parcel 23 to April 13, 2022 at 7:15pm. 2<sup>nd</sup> by Pete Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes. (5/0/0).**

**Backland Lot Special Permit and Common Driveway Special Permit, 89-91 South Bolton Road, Map 3.C Parcels 18, 20.1, and 27**

*Continued from February 9, 2022.*

*Present:*

Chris Slade, Applicant

Jack Sargent, P.E., Applicant's Engineer

Jack Sargent said the Board's consulting engineer at Places Associates alerted him to a change in stormwater regulations around porous paving, requiring the driveway to be 100 feet away from septic systems and 50 feet away from wells. The site layout would need to change to accommodate this.

Jack Sargent said the Board's consulting engineer asked for a full drainage report. Jack Sargent said he does not believe this is required for a Common Driveway Special Permit.

Chris Slade said he would prefer to receive comment through the Conservation Commission and from DEP prior to proceeding with the Special Permit through the Planning Board.

Jack Sargent said he would like to discuss further with the peer reviewer once other site issues have been figured out in order to see if the peer reviewer would still want a drainage report. Valerie Oorthuys asked for clarification from the Board, as the Zoning Bylaws and Common Driveway Rules and Regulations can be interpreted to require a drainage plan. Valerie Oorthuys noted that previous approved Common Driveway Special Permits have included full grading and drainage plans. The zoning bylaw states that all site activity and development must not contribute additional drainage to any abutting property or approved right of way. The way to understand whether a development does cause any runoff is through a drainage plan. The Board agreed a drainage plan would be needed, understanding that the development may not require excessive drainage infrastructure.

Michael Gorr moved to continue the public hearing for the Backland Lot Special Permit and Common Driveway Special Permit for 89-91 South Bolton Road to May 25, 2022 at 7:30pm. 2<sup>nd</sup> by Pete Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes. (5/0/0).**

**BUSINESS**

**Review and Endorsement of Subdivision Approval Not Required (ANR) Plan, 89-91 South Bolton Road, Map 3.C Parcels 18, 20.1, and 27**

The applicant agreed to postpone the Board's review of the ANR plan until the May 25, 2022 meeting.

**Vote to Accept John Powers Lane, 649 Main Street, Common Driveway As-Built Plans and Release Associated Bonds**

The Planning Board reviewed a letter from the Board's peer reviewer at Places Associates, indicating that there are no concerns.

Michael Gorr moved to accept the Common Driveway As-Built Plans. 2<sup>nd</sup> by Peter Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

Michael Gorr moved to release the cash bond held by the Town in the amount of \$3,000 and the driveway surety held by the Town in the amount of \$39,262.50. 2<sup>nd</sup> by Peter Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

**Review and Approval of Town Meeting Warrant Article for Master Planning Technical Assistance**

The Planning Board reviewed a draft warrant article to request \$30,000 for Master Plan consulting.

Michael Gorr moved to approve the Town Meeting Warrant Article for Master Planning Technical Assistance as written. 2<sup>nd</sup> by Pete Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

Michael Gorr moved to adjourn. 2<sup>nd</sup> by Pete Driscoll. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Michael Gorr- Yes; Erik Neyland- Yes; James Barr-Yes (5/0/0).**

Respectfully Submitted,  
Valerie Oorthuys