

PLANNING BOARD MINUTES

Wednesday, August 12, 2020 at 7:00 p.m.

Remote Public Meeting

Members Present: James Barr (Associate), Peter Driscoll, Erik Neyland, Danielle Spicer (Chair), and Mark Sprague

Also Present: Erica Uriarte (Town Planner)

Absent: Michael Gorr

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: James Barr (Associate) – yes, Peter Driscoll - yes, Erik Neyland – yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.

HEARINGS

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice is hereby given that the Bolton Planning Board will hold a public hearing on Wednesday, August 12, 2020 at **7:00 p.m.** via Zoom Video Communications, Inc. (Zoom) to hear and act upon the application of Deborah Plante of 93 West Berlin Road. The Applicant is seeking a Backland Lot Special Permit pursuant to Section 250-13 of the Code of the Town of Bolton in the Residential Zoning District for a property located at **93 West Berlin Road** identified on Assessor's Map 3.B as Parcel 35.

- Jack Maloney from Ducharme & Dillis Civil Design Group, Inc. was in attendance as the Applicant's representative.
- The Applicant applied for a Backland Lot Special Permit in 2018 and was granted the permit. The endorsed ANR plan was recorded at the Registry of Deeds, but not the permit. The Applicant is seeking another Backland Lot Special Permit to create Lots 1 and 2. Lot 1 is proposed as a frontage lot with 1.86 acres and 250 ft. of frontage. Lot 2 is the proposed backland lot with 4.92 acres and 50 ft. of frontage. The existing house at 93 West Berlin Road will reside on Lot 2.

- The Planning Board went through the previous decision from 2018 and determined that the findings were the same.
- **Mark Sprague moved to close the hearing for 93 West Berlin Road. 2nd by Peter Driscoll. All in favor by roll call: James Barr (Associate) – yes, Peter Driscoll - yes, Erik Neyland – yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.**
- **Mark Sprague moved to grant the Backland Lot Special Permit previously issued for 93 West Berlin Road in 2018 to create Lots 1 and 2. 2nd by Peter Driscoll. All in favor by roll call: James Barr (Associate) – yes, Peter Driscoll - yes, Erik Neyland – yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.**

BUSINESS

Shaun Hakala, 259 Green Road

- Planning Board deliberated on a proposed driveway application to allow for a second curb cut at 259 Green Road.
- Shaun Hakala indicated to the Board that his existing driveway is located near a blind curve making it difficult to exist and enter his property. He has children learning to drive and believes adding a second curb cut would be safer. The proposed driveway would be paved with a gravel base. Mr. Hakala was opposed to removing his existing driveway due to the additional construction work and cost.
- The second curb cut would require a Scenic Road Hearing to remove/relocate existing stone wall.
- Peter Driscoll noted that Green Road is winding and understands Mr. Hakala's safety concerns.
- James Barr was not opposed to the second curb cut and was also understanding of Mr. Hakala's safety concerns.
- Mark Sprague noted that a second curb cut would potentially lead to other safety issues given the proximity to Bare Hill Road intersection and possibly other driveways on Green Road.
- Mr. Hakala agreed to move forward with a Scenic Road hearing so that the Board could determine if abutters, notified through the public hearing process, would be opposed to a second curb cut.

Jonathan Mechlin, 339 Long Hill Road Common Driveway

- Jonathan Mechlin sought a bond release and close out of the common driveway project.
- The top coat of the common driveway went through a winter season.
- The As-built of the common driveway was approved by Fred Hamwey (Planning Board's consultant engineer).
- Remaining bond amount was \$11,400.
- **Mark Sprague moved to release bond for 339 Long Hill Road Common Driveway. 2nd by Peter Driscoll. All in favor by roll call: James Barr (Associate) – yes, Peter**

Driscoll - yes, Erik Neyland – yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.

- The 339 Long Hill Road Common Driveway project was closed.

Walter Eriksen, 147 Long Hill Road Common Driveway

- Mark Sprague recused himself from the 147 Long Hill Road Common Driveway discussion since he is an abutter to the project. Mark Sprague was placed in the virtual waiting room.
- Kevin Eriksen, in attendance on behalf of Built Best Construction, LLC, sought a bond release and close out of the common driveway project.
- The top coat of the common driveway went through a winter season.
- Outstanding items included loam and seed around one of the curbs of the first turnout and removing any asphalt pieces from the property. Mr. Eriksen indicated that these items had been completed.
- The As-built of the common driveway was reviewed and approved by Mr. Hamwey.
- **Peter Driscoll motioned to release \$29,062.50 remaining for bond for the 147 Long Hill Road Common Driveway. 2nd by James Barr. All in favor by roll call: James Barr (Associate) – yes, Peter Driscoll - yes, Erik Neyland – yes, and Danielle Spicer (Chair) – yes.**
- The 147 Long Hill Road Common Driveway project was closed.

Mark Sprague reentered the meeting.

Robert Pace, Keyes Farm Subdivision

- Robert Pace (developer) and Steven Ventresca from Nitsch Engineering (The Planning Board's consultant engineer assisting through COVID-19) provided an update on construction including a summary of the erosion control issues and measures implemented to stabilize the site. Rhino Construction installed loam, hydroseeded several times (due to washout) and added wattles to help capture sediment and slow down runoff. Stormwater Management Basin 3 was recently pumped dry to set the wick. The street trees will be selected in coordination with the Tree Warden.
- Rhino Construction will need to submit slips/proof of catch basin cleanings.
- The Planning Board heard erosion control concerns from Laurie Coe of 55 Moderator Way, Jason and Elizabeth Hutchinson of 75 Moderator Way, and Larry Cedrone of 84 Moderator Way.
- Slopes along the backside of Lots 4, 2 and 1 are not stabilized. Mr. Pace should work with the homeowners to address the erosion control issues and stabilize the site.
- The Site Operator (Rhino Construction) is responsible for correcting issues affecting the stormwater management system for the development.
- Mr. Pace anticipates seeking road acceptance at ATM 2021. The contractor will likely install the street trees and pave the top coat in September. Mr. Pace will continue to be responsible for plowing through the winter.

- The Planning Board recommended to residents, with questions regarding a common mailbox location, to contact the Post Master.
- **The Planning Board will schedule a site visit open to the public (agenda to be posted) to observe the erosion control issues and measures.**
- Mr. Pace sought a bond reduction for work completed and approved to date. Nitsch Engineering conducted a review of the bond estimate submitted by Rhino Construction. The Board asked that Mr. Hamway also review the bond before any reductions are approved. This item will be reviewed at their next meeting in September.

ADMINISTRATION

- Approval of meeting minutes from July 8, 2020 and July 30, 2020.
 - **Mark Sprague moved to approve meeting minutes from July 8, 2020 and July 30, 2020. 2nd by Peter Driscoll. All in favor by roll call: James Barr (Associate) – yes, Peter Driscoll - yes, Erik Neyland – yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.**

Mark Sprague motioned to adjourn meeting at 9:30 p.m. 2nd by Peter Driscoll. All in favor by roll call: James Barr (Associate) – yes, Peter Driscoll - yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.