

Erik Neyland 10/8/19

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## PLANNING BOARD MINUTES

Thursday, September 25, 2019 at 7:30 p.m.

Town Hall – Board of Selectmen's Room

663 Main Street

**Members Present:** Erik Neyland (Chair), Danielle Spicer, Mark Sprague, Michael Gorr, and James Barr (Associate)

**Members Absent:** Peter Driscoll

**Also Present:** Erica Uriarte (Town Planner)

### PUBLIC HEARINGS

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice is hereby given that the Bolton Planning held a public hearing on Wednesday, September 25, 2019, at **7:30 p.m.** in the Board of Selectmen Room of the Town Hall, 663 Main Street, Bolton, MA to hear and act upon the application of Brian and Caryn LaFlamme, 125 Harvard Road, Bolton, MA 01740. The Applicant is seeking a Backland Lot Special Permit pursuant to Section 250-13 of the Code of the Town of Bolton in Bolton's Residential Zoning District to combine parcels located on Harvard Road identified on Assessor's Map 5.C as Parcels 176 and 177 into a single backland lot.

- Brandon Ducharme and Brian LaFlamme were present. The applicant seeks to combine backland lots at 5.C-176 and 177 (formerly Lots 1 and 2). Brian and Caryn LaFlamme purchased two backland lots and seek to build a house and barn on the lots. The total acreage of the two lots is 9.88 acres and the total frontage is 102.02 feet. Lots were previously approved in 2012 when Matthew Jackson was the applicant.
- **Danielle Spicer motioned to close the hearing. 2<sup>nd</sup> by Mark Sprague. All in favor 5/0/0.**
- **Danielle Spicer motioned to approve ANR plan dated July 19, 2019 to combine Lots 176 and 177 into single consolidated lot. 2<sup>nd</sup> by Mark Sprague. All in favor 5/0/0.**
- **Danielle Spicer motioned to have Erik Neyland sign the decision on behalf of the Board for a Backland Lot Special Permit. 2<sup>nd</sup> by Mark Sprague. All in favor 5/0/0.**

In accordance with Massachusetts General Laws (MGL), Chapter 87, Public Shade Tree Law, Section 3 (Cutting of Public Shade Trees; Hearing; Damages) and M.G.L. Chapter 40, Section 15c (Scenic Road) and Section 250-24 of the Bolton Zoning Bylaws (Scenic Roads), the Town of Bolton Tree Warden and Planning Board held a Joint Public Hearing on Wednesday, September 25, 2019, at 7:45 p.m. at the Bolton Town Hall, 663 Main Street, Bolton, MA regarding an application from Bolton's Department of Public Works to remove twenty-one (21) public shade trees from Annie Moore Road. These trees are located between utility poles no. 3½ through no. 19 and are identified as follows: One (1) 38" dia. Oak, one (1) 37" dia. Oak, one (1) 36" dia. Oak, one (1) 31" dia. Oak, one (1) 26" dia. Oak, one (1) 23" dia. Oak, two (2) 21" dia. Oak, one (1) 20" dia. Oak, one (2) 19" dia. Oak, one (1) 18" dia. Oak, and one (1) 13" dia. Oak, one (1) 22" dia. Hickory, one (1) 19" dia. Hickory, one (1) 16" dia. Hickory, one (1) 14" dia.

Hickory, one (1) 11" dia. Hickory, one (1) 18" dia. Maple, one (1) 15" dia. Maple, one (1) 14" dia. Maple, and one (1) 13" dia. Elm.

- The Department of Public Works submitted a withdrawal of their petition to remove 21 trees on Annie Moore Road due to general push back from Town residents.
- Mark Caisse indicated that five (5) of the trees are to be removed in the future due to poor condition. These trees include 38" Oak (after utility pole no. 3 1/2), 14" Hickory (between utility poles no. 9 and 10), 11" Hickory (between utility poles no. 9 and 10), 16" Hickory (between utility poles no. 9 and 10), and 14" Maple (across from utility pole no. 16). The removal of these trees will depend on funding. Mr. Caisse seeks to remove the 38" tree this fiscal year. However, he needs to prioritize trees to be removed throughout Town.
- **Danielle Spicer motioned to accept DPW's withdrawal of the petition to remove 21 trees on Annie Moore Road. 2<sup>nd</sup> by Mark Sprague. 5/0/0.**
- **Danielle Spicer motioned to close the hearing. 2<sup>nd</sup> by Mark Sprague. All in favor 5/0/0.**

## **BUSINESS**

### *Century Mill Estates*

- The Planning Board discussed the affordable housing payment to be submitted to Bolton's Affordable Housing Trust on the 40<sup>th</sup> occupancy permit. The builder of 25 Old Stone Circle seeks the 42<sup>nd</sup> occupancy.
- James Bendetson from B&G Homes is seeking occupancy. His attorney Jeffery Allen was also present.
- Andy Bendetson was out of town and not present for the meeting. No update was provided regarding the appraisal of the undeveloped lots in Phase 1.
- James Bendetson and his business partner purchased the lot and built a home separate from Old Stone Estates, LLC. Mr. Bendetson paid fair market value for the lot.
- The driveway for 25 Old Stone Circle needs to be brought up to code as noted in an email from DPW Director Joseph Lynch dated 09/23/19 prior to final sign off.
- **Danielle Spicer motioned to grant certificate of occupancy for 25 Old Stone Circle conditioned upon DPW sign off of the driveway. 2<sup>nd</sup> by Mark Sprague. All in favor 5/0/0.**
- The Board deliberated that no further occupancies will be issued without Board approval. Town Counsel to weigh in on how to incentivize/leverage payment of the second installment of the affordable housing payment. The Board to consider requiring payment prior to partial road acceptance of Phases 2 and 4 and/or occupancy of 39 Mill Pond Road (owned by Andrew Bendetson).

### *Walter & Kevin Eriksen, 147 Long Hill Road Common Driveway*

- The Planning Board to review the revised As-Built Plan, remaining construction work and possible bond release schedule.

- **The applicant submitted a request for continuance of this discussion to the Board's October 9, 2019 meeting.**

*Master Plan Discussion*

- The Planning Board reviewed background information and letters of interest from residents seeking to sit on the Master Plan Steering Committee. Interested candidates include Brian Boyle, Cia Boynton, Mary Ciummo, Panny Gerken, Michelle Goulding, Molly Myers, Bob Roemer, Chris Rogers, Ken Troup, and Kevin Weadock.
- Mark Sprague elected to represent the Planning Board on the Committee.

**ADMINISTRATION**

- None.

**Danielle Spicer motioned to adjourn the meeting at 8:34 pm. 2<sup>nd</sup> by Mark Sprague. All in favor 5/0/0.**

