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TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall – Board of Selectmen's Room on **November 28, 2018** at 7:30 PM

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

Also Present: Erica Uriarte (Town Planner)

Call to order: 7:30 PM

- Hearing

- In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice was hereby given that the Bolton Planning Board held a continuation of a public hearing on Wednesday, November 28, 2018, 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 21 Century Mill, LLC, 291 Main Street, Suite 8, Northborough, MA 01532 for a Common Driveway Special Permit for a property located at 21 Century Mill Road, identified on Bolton's Assessor's Map 3.D as Parcel 32 (12.8 acres), located in Bolton's Residential Zoning District. The proposed common driveway will provide access to four lots.
 - The Planning Board continued the hearing without discussion.
 - **Mark Sprague motioned to continue the hearing for 21 Century Mill Road Common Driveway to May 22, 2018 at 7:30 p.m. at Town Hall. 2nd by Michael Gorr. All in favor 5/0/0.**

- Business

- Century Mill Estates
 - Fred Coon provided an update to the Planning Board regarding the maintenance work being completed to Basin 8C on Mill Pond Road. The basin is filled with vegetation and sediment. DPW Director, Joe Lynch, and Erica Uriarte met with Fred Coon at the site to discuss maintaining the basin. Both Joe and Erica were concerned that the basin could be exacerbating the flooding on Spectacle Hill Road since it hasn't been maintained properly. Fred agreed to maintain the basin by excavating out material that could be reached by the extension of an excavator arm and bucket from the embankment of the basin. Unfortunately the work caused the berm of the basin to destabilize so Fred installed silt fence around the berm and hydro seeded the area to help stabilize it. Fred submitted a letter, rainfall data and an article from the Boston Globe to show that higher than usual rainfall has occurred since August which he believes is the cause of the flooding on Spectacle Hill Road. He also noted that Spectacle Hill Road has always flooded even before Century Mill Estates was constructed.
 - The Planning Board discussed the possibility of allowing for a 30 ft. by 40 ft. turnaround (same as common driveway terminus) as the terminus for Mill Pond Road required as part of partial road acceptance at ATM 2020. The existing paved turnaround at the end of Mill Pond Road currently provides more than 30 ft. by 40 ft. Erica Uriarte to check with Fire Department to make sure they will approve such a terminus at the end of Mill Pond Road.
- Keyes Farm Subdivision
 - Brandon Ducharme presented a modification to the location of Stormwater Area #2 due to a surveying error with the location of the wetland line on the plan. The size and volume of the stormwater basin remains unchanged. Elevations were adjusted accordingly. The minor modification was approved by Fred Hamwey. Ducharme & Dillis will submit a revised ANR plan for a potential lot line modification related to the shift in the stormwater basin onto Lot 1.
 - **Danielle Spicer motioned to approve site plan entitled "Keyes Farm, Definitive Subdivision Plan, Bolton, Massachusetts, Grading and Drainage Plan 1", Sheet Number C4.1, last revised October 31, 2018 showing minor modifications to the Stormwater Management Area #2 for the Keyes Farm subdivision. 2nd by Mark Sprague. All in favor 5/0/0.**

- Bob Pace and Rhino Construction requested an extension for paving to take advantage of the last warm day of the season that would be above 40 degrees. Rhino anticipates paving on Monday, December 3, 2018. Fred Hamwey will be present to monitor conditions as well as a third party consultant firm that will also run compaction/density and temperature testing. To prepare for Monday's paving, Pace also requests to conduct grading of the gravel base on Saturday. Rhino anticipates little noise from the grading machine, dump truck and front end loader. Rhino anticipates the gravel being able to dry out on Friday. Once the grading is completed on Saturday, Rhino will cover the base so that it doesn't get wet from rain on Sunday.
- **Michael Gorr motioned to grant Saturday construction hours from 8:30 am to 4:30 pm on December 1, 2018. 2nd by Danielle Spicer. All in favor 5/0/0.**
- **Danielle Spicer motioned to extend the paving deadline at Keyes Farm to Tuesday, December 4th. 2nd by Mark Sprague. All in favor 5/0/0.**
- 147 Long Hill Road Common Driveway
 - Mark Sprague recused himself from deliberation since he is an abutter to the property.
 - The Planning Board and Fred Hamwey (Planning Board's Consultant Engineer) reviewed Hamwey's Inspection Report No.23 & 24 along with a response letter dated x from Walter Eriksen, Built Best Construction. The Board and Hamwey noted that additional spot elevations should be requested on the As-Built Plan to confirm design of the swales and to ensure that the pavement was crowned as per the design. A photo captured on 11/28/18 shows stormwater runoff sheeting flowing across the pavement which indicates the driveway may not be crowned.
 - The Board noted that Walter should not be granted a continuance since his Special Permit required the construction of the driveway to be completed and the As-Built Plan submitted in 2017.
 - Residents living off of the common driveway present at the meeting stated that Walter's work is subpar. This is evident from the address signs that were recently installed using low quality wood board and reflective stickers that weren't adhered straight to the boards on poles that were loose in the ground.
 - Town Counsel to provide guidance on how to use the remaining bond (\$29,111.09) for the project if the Board determines that the bond is necessary to complete the work.
 - **Danielle Spicer motioned to deny Walter Eriksen's request for a continuance since the As-Built plan is past due. 2nd by Michael Gorr. All in favor 5/0/0.**
- Tadmor Subdivision
 - Danielle Spicer recused herself from deliberation since she is an abutter to the property.
 - Michael Feldman from Habitech requested approval of a bond estimate in lieu of the Covenant currently in place for the subdivision project. The current status of the subdivision road provides emergency access to the lots. Paving of the binder course and installation of the fire cistern have been completed. Fred Hamwey reviewed and approved the estimate for the remaining road work.
 - The total bond amount including the 1.5 multiplier equals \$256,380.
 - Erica Uriarte will have Town Counsel review the bond.
 - Erica Uriarte will prepare a document to release the lots from the Covenant and will review the project's inclusionary requirements.
 - **Michael Gorr motioned to approve the bond for Tadmor subdivision for \$256,380 contingent upon Town Counsel's approval. 2nd by Mark Sprague. All in favor 5/0/0.**
- Review Potential Bylaw Amendments for ATM 2019
 - Planning Board reviewed potential articles for ATM 2019. Danielle Spicer requested that the Board also consider requiring updated rainfall data as part of the amendments related to stormwater for business special permits. Danielle to provide reference for NOAA Atlas data. Stormwater requirements will include the 2, 10, 25 and 100 year storm events.
- Administration

- Planning Board reviewed resume for Roi Armstrong, a resident who is interested in participating on the Housing Production Plan Committee. Panny Gerken and Erik Neyland will participate on the Committee as well. The Board will also reach out to David Yesue, Brian Boyle (Advisory), Selectmen and Mark O'Hagan (Developer).
- The Board did not review the Planning Department's budget for FY20, but was in agreement with level funding from last year's budget.

Mark Sprague moved to adjourn the Planning Board meeting at 10:06 p.m. 2nd by Michael Gorr. All in favor 5/0/0.