

## PLANNING BOARD MINUTES

Wednesday, December 9, 2020, at 7:00 p.m.

### Remote Public Meeting

**Members Present:** James Barr (Associate), Peter Driscoll, Michael Gorr (Vice Chair), Erik Neyland, Danielle Spicer (Chair), and Mark Sprague  
Also Present: Erica Uriarte (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: James Barr (Associate) – yes, Peter Driscoll – yes, Erik Michael Gorr (Vice Chair) – yes, Neyland - yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.

## BUSINESS

### *Peter Bradley, Houghton Farm Subdivision*

- Mr. Bradley sought a minor modification to the approved site plans to eliminate some of the stone check dams along a portion of drainage swale within the subdivision.
- Greg Roy was present to provide support as to why the stone check are not necessary.
  - Drainage design at Houghton Farm is Low Impact Development.
  - The road was installed years ago. The drainage design includes wide flat (minimum slope) swales along the edge of the road.
  - The stone check dams were intended to reduce velocities and prevent erosion.
  - No erosion is occurring without the stone check dams.
  - The residents would prefer to not have the stones installed.
- Fred Hamwey, Hamwey Engineering, Inc., (the Board's Consultant Engineer) approved the elimination of the stone check dams.
- **Michael Gorr motioned to waive/eliminate the five (5) stone check dams shown on the approved site plans. 2<sup>nd</sup> by Mark Sprague. All in favor by roll call: Peter**

**Driscoll – yes, Michael Gorr (Vice Chair) – yes, Erik Neyland- yes, Danielle Spicer (Chair) – yes, Mark Sprague – yes; (5/0/0).**

- The Planning Board reviewed site items required to be completed as part of road acceptance.
  - General cleanup of the site in the spring.
  - Obtain sieve analysis for the gravel material used for the stone walkways.
  - Obtain approval of the stone wall correction.

*Jack Maloney - Dillis & Roy Civil Design Group, ANR Plan for Parcel 4.D-101*

- Mr. Maloney sought endorsement of an ANR Plan to subdivide Parcel 4.D-101, located off of Meadow Road, into Lot 4, Parcel A, and Parcel B. Parcel 4.D-101 was previously part of 96 Long Hill Road. Mr. Maloney sought input from the Planning Board whether a common driveway will be required as part of the future development of Parcel 4.D-101.
- The subdivision of land meets the zoning requirements for area, frontage, width of lot, and lot shape.
- Three (3) curb cuts are proposed for the Lot 4 and Parcels A and B. It is anticipated that Lots 2 and 3 (Parcel A) are to have a shared driveway, Lot 4 will have a single driveway, and Lots 5 and 6 (Parcel B) will have a shared driveway. Lots 2, 3, 5 and 6 would be future ANR lots from subdivision of the remaining property (Parcels A and B).
- There is a straight line of sight along this section of Meadow Road.
- The Board preferred a common driveway for Lots 4, 5 and 6. After reviewing an AutoCAD drawing shared by Mr. Maloney, the future subdivision of the land appeared to favor a common driveway layout. The Board was inclined to think that the shared driveway for Lots 5 and 6 could be easily modified to include a driveway for Lot 4, also reducing the need for a separate longer driveway for Lot 4.
- Mr. Maloney would convey this recommendation to his client and will relay back to the Board any concerns from the property owner/buyers.
- **Michael Gorr motioned to approve the ANR Plan dated December 3, 2020 for Parcel 4.D-101. 2<sup>nd</sup> by Mark Sprague. All in favor by roll call: Peter Driscoll – yes, Michael Gorr (Vice Chair) – yes, Erik Neyland- yes, Danielle Spicer (Chair) – yes, Mark Sprague – yes; (5/0/0).**
- **Michael Gorr motioned to recommend a common driveway be used for Lots 4 and Parcel B. 2<sup>nd</sup> by Mark Sprague. All in favor by roll call: Peter Driscoll – yes, Michael Gorr (Vice Chair) – yes, Erik Neyland- yes, Danielle Spicer (Chair) – yes, Mark Sprague – yes; (5/0/0).**

*Robert Pace, Keyes Farm Subdivision*

- Construction updates:
  - The top coat of the road was completed on November 14<sup>th</sup>. However, the driveway transitions were not finished. Bolton's paving deadline was November 15<sup>th</sup>. Rhino Construction installed transitions on November 16<sup>th</sup>. These transitions

were approved as temporary measures and will be redone in the spring. Rhino Construction will mill and re-top these sections with oversight from Nitsch Engineering (the Board's Consultant Engineer).

- It was noted by Chair Danielle Spicer that leaving the driveway transitions open between November 14<sup>th</sup> and November 16<sup>th</sup> was unacceptable. Some of these pavement cuts were extensive leaving residents stranded to figure out how to get out of their driveways.
- Corrective actions relating to the drainage and erosion issues on Lots 1, 2 and 4 were completed and reviewed by Nitsch Engineering. Erica Uriarte expressed concerns to the Board that the swales installed may not be constructed per the approved plan. Mrs. Uriarte recommended a site visit be conducted to review these improvements with Nitsch Engineering and the Applicant's Engineer (Greg Roy from Dillis & Roy).
- The driveway width of Lot 4 does not meet the approved width shown on the driveway application for Lot 4. The driveway was installed at 10 ft. and the driveway application indicated 12 ft. The homeowners of Lot 4 (Elizabeth and Jason Hutchins of 75 Moderator Way) also believe the driveway was not installed per the location shown on the driveway application. The Hutchins seek to have the driveway installed per the plan.
  - The Board will need to weigh the pros and cons of reconstructing the driveway. Bolton's Driveway Bylaw and Regulations do not require a specific width. However, 12 ft. was noted on the driveway application.
  - Erica Uriarte confirmed that sections of the driveway width was 10 ft. Mrs. Uriarte stated that Building and Fire Departments were not concerned since vital access to the home was being provided.
  - The Board appeared to be in agreement that an additional two (2) ft. strip would not be acceptable if the driveway was to be reconstructed,
  - Mr. Pace indicated the driveway width was installed to 12 ft. He noted there was a two (2) ft. gravel shoulder along the edge of the driveway (closest to Lot 5) topped with fill material. The Hutchins refuted this comment.
- The Planning Board reviewed punch list items required as part of road acceptance. Given time constraints, the Board agreed to hold off on road acceptance to ensure that remaining work was done correctly with oversight from Nitsch Engineering throughout spring/summer 2021. A site visit will be conducted in early spring to review punch list items with Planning and other departments. Mr. Pace will need to submit a construction schedule.
- Residents of Keyes Farm present during the meeting expressed concerns regarding plowing of the road. Many of the residents expressed safety concerns. The Board noted that the road was a private way and that plowing was not the responsibility of the Town.

*ATM 2021 Potential Articles*

- Planning Board discussed potential articles for ATM 2021 including the following:
  - Amend Bolton's Accessory Apartment Bylaw
    - The Board seeks to allow detached accessory apartments.
    - Erica Uriarte will resend a draft of this bylaw amendment to the Planning Board in preparation for their next meeting.
  - Road acceptance of Mill Pond Road, Cider Circle and Old Stone Circle at Century Mill Estates
    - The majority of road construction is completed and will be approved by Nitsch Engineering.
    - No As-built Plans or Street Acceptance Plans have been submitted.
    - Three significant remaining items include paying back taxes, deeding over the open space to the Bolton Conservation Trust, and the fee-in-lieu payment for affordable housing.
    - No status update from Andrew Bendetson on any of these items.
    - The Board will make a decision at their next meeting whether or not to advance this article.
  - Road acceptance of Houghton Farm Lane at Houghton Farm
  - Road acceptance of Moderator Way at Keyes Farm
    - This article will be moved to a future ATM.
  - Update Barn Bylaw
    - The Board will advance updating the Accessory Apartment Bylaw only. If this amendment passes at ATM 2021, the Board will then consider modifying the Barn Bylaw to include additional flexibility for using historical accessory structures as accessory apartments.
  - Amend Bolton's Driveway Bylaw
    - The Board will evaluate driveways on a case-by-case basis regarding drainage runoff from single/shared driveways to the public road. As advised by the DPW Director, driveway runoff should be directed away from the public road to the extent feasible. No amendments are warranted at present to the Driveway Bylaw.
  - Light Pollution Bylaw
    - The Board will consider/research whether a light pollution bylaw is warranted. The Board looked initially at Stow's bylaw.
    - Erica Uriarte will review other towns that have a similar bylaw.
    - Erica Uriarte will draft a light pollution bylaw for the Board's review at their next meeting.
  - Amend Sign Bylaw
    - The Board will update the section of the Sign Bylaw regarding temporary real estate signs to eliminate the language stating "the addition of the word "sold" is not allowed" and replacing it with "the sign shall be removed 14 days after the date of the sale closing".

## ADMINISTRATION

Approval of meeting minutes from October 28, 2020 and November 10, 2020.

- **Michael Gorr motioned to approve meeting minutes from October 28<sup>th</sup> and November 10<sup>th</sup>. 2<sup>nd</sup> by Mark Sprague. All in favor by roll call: Peter Driscoll – yes, Michael Gorr (Vice Chair) – yes, Erik Neyland- yes, Danielle Spicer (Chair) – yes, Mark Sprague – yes; (5/0/0).**

Planning Board will meet next on Wednesday, January 13<sup>th</sup>.

**Michael Gorr motioned to adjourn the meeting at 10:14 pm. 2<sup>nd</sup> by Mark Sprague. All in favor by roll call: Peter Driscoll – yes, Michael Gorr (Vice Chair) – yes, Erik Neyland- yes, Danielle Spicer (Chair) – yes, Mark Sprague – yes; (5/0/0).**