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TOWN OF BOLTON - PLANNING BOARD MINUTES

Meeting Held at the Town Hall – Board of Selectmen's Room on **September 12, 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 is hereby given that the Bolton Planning Board held a public hearing on Wednesday, September 12, 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 Wendy Harrop, 5 Harvard Road, Bolton, MA 01740. The Applicant sought a Special Permit pursuant to Section 250-27.1 Barn, Stable and Carriage House Preservation of the Code of the Town of Bolton to conduct a home occupation (workshops & social gatherings limited to 40 people) in the barn located at 5 Harvard Road identified on Assessor's Map 5.C as Parcel 5 in Bolton's Residential Zoning District.
 - Wendy Harrop is proposing to use her barn at 5 Harvard Road as a space for groups of no more than 45 people to celebrate special occasions, community building or teaching workshops. She intends to offer floral design workshops monthly from April through November for groups of 12. For parties, bridal/baby showers, or small weddings the frequency would be limited to three per month, from April to October. For events requiring food, the client will secure licensed caterers and bartenders. If the guest list is in excess of 20 people and the event is more than four hours in duration, portable bathrooms will be secured by the client. Onsite parking on crush stone is available for up to 15 cars. Additional cars can be parked in the neighbor's field at 23 Harvard Road which can accommodate up to an additional 30 cars. Guests will use a mowed path between the properties to access the barn. Any amplified sound or music will end by 9 p.m., guests will depart by 10 p.m., and vendors by 10:30 p.m. There will be no addition of permanent signage and no more than two employees. Any lighting used for pathways leading to the parking will be temporary, aesthetically pleasing and used as needed on the date of the event. Access to the barn will be provided by Harrop's private driveway. She does not anticipate the creation of offensive noise, smoke, odor, or heat from the home occupation. The barn has electricity. There are no bathrooms facilities within the barn.
 - Rebecca Longvall, Conservation Administrator, recommended that the owner of 23 Harvard Road read the Conservation Restriction applied to the property to make sure that parking in the field is acceptable. Parking onsite appears to be outside wetlands jurisdiction.
 - The Planning Board reviewed a draft copy of language for the Special Permit.
 - **Danielle Spicer motioned to close the hearing for 5 Harvard Road. 2nd by Mark Sprague. All in favor 5/0/0.**
 - **Danielle Spicer motioned to approve the Special Permit for Wendy Harrop of 5 Harvard Road for Home Occupation with the following additions to the draft Special Permit: add condition to meet Board of Health/Fire Department requirements; update condition no. 6 to 9 p.m.; update condition no. 7 to say no parking within wetland resource areas; update condition no. 9 to eliminate no delivery trucks within the ROW. 2nd by Mark Sprague. All in favor 5/0/0.**
- In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice is hereby given that the Bolton Planning Board held a continuation of a public hearing on Wednesday, September 12, 2018, at 8:00 p.m. in the Board of Selectmen Room of the Town Hall, 663 Main Street, Bolton, MA to hear and act upon the applications of 21 Century Mill, LLC, 291 Main Street, Suite 8, Northborough, MA 01532 for a Backland Lot Special Permit and 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; one lot being a backland lot.

- Scott Hayes from Foresight Engineering received comment letter from Fred Hamwey. In the process of responding to comments. Hayes has shortened the driveway to reduce impervious cover.
- Erica Uriarte, Town Planner, provided comment letter to the Planning Board regarding potential impact to wetland resource areas. Hayes will revise the drainage to meet MassDEP Stormwater Standards.
- The Board was concerned with Lot 3 and the amount of floodplain on the lot. Will the applicant consider reducing the number of lots from four to three?
- Conservation Commission will be conducting a site walk next week to observe two locations that are potential vernal pools on Lots 2 and 4. Verification of the vernal pools would likely occur in the spring.
- Jake Foote, Abutter at 40 Century Mill Road, indicated that this area of Century Mill Road floods five or six times in the spring when water covers the land and the box culvert under Century Mill Road overtops. Concerned with flooding on his property.
- **Danielle Spicer motioned to continue hearing for 21 Century Mill Road to September 26, 2018 at 7:45 p.m. in Town Hall. 2nd 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 regarding the application of Jonathan Mechlin regarding the proposed removal of a 22" dia. Oak, 23" dia. Oak and 16" dia. Hickory required to construct a common driveway for property located at 339 Long Hill Road, identified by Assessors Map 3.E as Parcel 83.
 - Jonathan Mechlin, Builder of the common driveway at 339 Long Hill Road, requested the removal of a 22" dia. Oak, 23" dia. Oak and a 16" dia. Hickory that blocks the sight line distances entering into the public right of way from the proposed common driveway. The trees are requested to be removed in order to meet Bolton's Bylaws.
 - Mark Caisse was present during hearing and approved the removal of the trees.
 - **Danielle Spicer motioned to close the scenic road hearing for 339 Long Hill Road. 2nd by Mark Sprague. All in favor 5/0/0.**
 - **Mark Sprague motioned to approve the removal of the 22" dia. Oak, 23" dia. Oak and 16" dia. Hickory within the public ROW at 339 Long Hill Road. 2nd by Danielle Spicer.**
- **Business**
 - Robert Pace (Turnkey Builders LLC) - Keyes Farm (Parcels 3.D-9 & 9A), Hudson Rd
 - Robert Pace requested to conduct construction activities at Keyes Farm Subdivision on Saturdays between the hours of 9 a.m. and 3 p.m. from September 15th through November 10th. No blasting of rock to occur on Saturdays.
 - **Mark Sprague motioned to allow Saturday construction at Keyes Farm from 9 a.m. to 3 p.m. from September 15th through November 10th. If complaints from abutters are received, the Board will reevaluate approval. 2nd by Danielle Spicer. All in favor 5/0/0.**
 - Christopher Slade - South Bolton Road
 - Planning Board preliminarily reviewed the subdivision of Parcels 3-C.18, 20.1 and 27 on South Bolton Road into five lots and one remaining parcel. The Board was amendable to Christopher Slade seeking a waiver from the lot shape requirements for the frontage lots. Slade may seek a Conservation Restriction on the open space and parcel.
 - Brian Milisci (Whitman & Bingham Associates) - Forbush Mill Rd Potential Subdivision
 - Planning Board had a preliminary discussion with Whitman & Bingham Associates regarding a potential FOSPRD subdivision (15 lots; 43 acres; 50% open space) on Forbush Mill Road (Parcel 5.A-14).

- Provide septic system/drainage testing sufficient enough to prove that the proposed number of lots is a viable design.
- Planning Board has offered waivers for longer cul-de-sac lengths in the past. A length of 1,700 feet will likely be acceptable, but will likely need a fire cistern.
- Planning Board will approve a cul-de-sac without a landscape island that has a 50 ft. pavement radius.
- Fred Coon – Century Mill Estates
 - Planning Board and Fred Coon reviewed street trees, curb replacement and temporary cul-de-sac design of Mill Pond Road as part of partial road acceptance (Phases 2 and 4). Approximately 8,000 feet of curbing needs to be replaced in Phases 2 and 4. Coon would like to use some of the existing trees outside the road ROW as street trees. Site visit with the Board tentatively scheduled for Wednesday, September 19th, at 8 a.m. to review the location of the existing trees to be used as street trees as well as locations for curb replacement. Erica Uriarte requested that the funds for Fred Hamway's construction oversight be replenished prior to this site visit.
 - Fred Coon also requested to revise the cul-de-sac landscaping design. Coon submitted a revised detail. Dimensions should be added to the detail.
 - **Danielle Spicer motioned to approve the revised cul-de-sac landscaping detail as a minor modification to the approved plans. 2nd by Mark Sprague. All in favor 5/0/0.**
- Dan Brower from Hancock Associates & Skip Sullivan (Attorney for Cobham), 58 Main Street (Cobham) & Parcel 5.E-56 – ANR Plan
 - Planning Board reviewed an ANR Plan to create Lots 89 & 90 from subdividing Parcel 5.E-56 and adding Lot 89 to 58 Main Street (comprised of Lots 10, 57 and 59). The ANR Plan is the outcome of a Land Court ruling over a portion of the Cobham building being built on the neighboring property.
 - **Mark Sprague motioned to approve ANR Plan for 58 Main Street/Parcel 5.E-56 to create Lots 89 and 90. 2nd by Danielle Spicer. All in favor 5/0/0.**
- Recreational Marijuana Establishments in Bolton
 - Planning Board discussed whether 41 Main Street (Paragon building) and 58 Main Street (Cobham building) are eligible locations for a recreational marijuana establishment through Bolton's Special Permit process. The Board determined that Family Perspectives located at 41 Main Street is a facility where children commonly congregate and would require a 500 ft. offset from a recreational marijuana establishment.
- Administration
 - Update Bolton Housing Production Plan
 - Planning Board reviewed and approved the charter for a steering committee.
 - Planning Board continued discussion of potential bylaw amendments for ATM 2019 to future meeting.

Danielle Spicer moved to adjourn the Planning Board meeting at 11:00 p.m. 2nd by Mark Sprague. All in favor 5/0/0.