

PLANNING BOARD MINUTES

Wednesday, March 24, 2021, 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: Valerie Oorthuys (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, Michael Gorr (Vice Chair) – yes, Erik Neyland - yes, Danielle Spicer (Chair) – yes, and Mark Sprague – yes.

BUSINESS

- *Bruce Wheeler, Habitech – Concept Development Plan for Parcel 6.B-3*
 - Bruce Wheeler, along with Greg Roy, P.E. of Dillis and Roy, presented concept plans for a mixed use development abutting the Tadmor subdivision. The concept plans include a 38 unit age restricted condominium building. The units are proposed at two bedrooms. The building is proposed at 2.5 stories high. Parking for the units would be located underneath the building. A 5,200 sqft retail space is proposed to be collocated in the building. Mr. Wheeler noted his interest in locating a Dunkin Donuts within a second structure on site which would provide 2,000sqft of retail space with a drive through. The concept included a large parking area along Route 117 and a landscaped commons.
 - The concept plans include a public water supply and an in ground septic system to the rear of the lot.
 - Traffic circulation on site would include two curb cuts along Route 117 and another providing direct access to Forbush Mill Road.

- Mr. Wheeler said he believes age restricted housing is needed, particularly in town centers, though the zoning for the parcel is currently limited to Business.
 - The Planning Board noted the proposal's similarities with allowed uses in the mixed use overlay district.
 - Erik Neyland said that zoning does not allow for fast food as a primary use, meaning the tenant of the 2,000sqft structure may need to be reconsidered.
 - Michael Gorr said the concept plan should be revised to include more context, such as the proximity to the entrance to the Tadmor subdivision and the intersection of Main Street, Green Road, and Forbush Mill Road. Bruce Wheeler noted his interest in entering into a public-private partnership for the repair or reconstruction of the intersection. Erik Neyland noted that the Department of Public Works is compiling a MassWorks application for intersection improvements at that location.
 - Erik Neyland suggested Mr. Wheeler contact the owner of the abutting parcel along Forbush Mill Road, as there may be shared interests.
 - Bruce Wheeler noted that either construction of the affordable unit at Tadmor Subdivision or a fee in lieu of construction is due prior to the issuance of the 7th building permit. Mr. Wheeler asked for the Board's opinion of whether the unit could be planned to be built as part of the proposed mixed use development. The Planning Board indicated that the unit should be addressed outside of the timeline for the mixed use development, as it is still in a concept stage.
 - Bruce Wheeler said he would amend the concept plans based on this discussion and work to consider architectural drawings for the site as well.
- *Annual Town Meeting 2021 Articles*
 - Valerie Oorthuys, Town Planner, provided Town Counsel's comments on the Planning Board's articles for Annual Town Meeting. There were no comments on the proposed Outdoor Lighting Bylaw nor the amendments to the Temporary Signage bylaw.
 - Town Counsel recommended language around condominium ownership is removed from the bylaw as a past court case invalidated a zoning ordinance that included such language, as ownership has no bearing on land use. The Planning Board agreed that the language should be removed.
 - Town Counsel noted that the Economic Development Bill, H.5250, allows towns to pass Accessory Apartment bylaws through a simple majority if the bylaw includes a more restrictive size requirement, otherwise a 2/3 majority is still needed. The Planning Board agreed not to amend the language, noting the additional flexibility the bylaw provides is better suited to Bolton's needs.
 - **Michael Gorr motioned to amend Article 11 of the draft Annual Town Meeting warrant by removing section 8.b of the proposed language related to condominium ownership. 2nd 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).

- *Houghton Farm Road Acceptance*
 - Related to the punchlist items for the acceptance of Houghton Farm Road, Greg Roy of Dillis and Roy shared a plan with the Board which highlights two areas where boundary markers for the road right of way are unable to be placed. Greg Roy stated one marker would be located within a gravel driveway at the entrance to the associated open space, and another would be at a culvert. The Board agreed that with numerous other boundary markers along the road, these two are not necessary.
 - **Michael Gorr motioned to not require the placing of two bounds along Houghton Farm Road as indicated on a plan dated March 24, 2021. 2nd 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).**

ADMINISTRATION

- **Vote to approve Housing Production Plan**
 - The Housing Production Plan was submitted to the Department of Housing and Community Development (DHCD) at the beginning of the month after the Board of Selectmen voted to approve the plan. DHCD has asked for verification of the Planning Board's support as well.
 - **Michael Gorr motioned to approve the Housing Production Plan dated March 1, 2021. 2nd 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, April 14th.

Mark Sprague motioned to adjourn the meeting at 8:25 pm. 2nd by Michael Gorr. 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).