

## PLANNING BOARD MINUTES

Wednesday, June 23, 2021, at 7:00 p.m.

### Remote Public Meeting

**Members Present:** Mark Sprague (Chair), Peter Driscoll (Vice Chair), Michael Gorr, Danielle Spicer, James Barr (Associate)

Also Present: Valerie Oorthuys (Town Planner)

Absent: Erik Neyland

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: Michael Gorr - Yes, Peter Driscoll (Vice Chair) – Yes, Danielle Spicer- Yes, Mark Sprague (Chair)- Yes, James Barr (Associate)- Yes.

## ADMINISTRATION

- Review Correspondence

- Planner's Report

- 500 Main Street*

- Staff met with a prospective development team regarding opportunities at 500 Main Street. Staff explained that once the Local Initiative Program application related to the Comprehensive Permit at 580 Main Street is finalized, the Town would have the right to not entertain further Comprehensive Permit projects for the time being. However, the developers are interested to learn more about whether the Town would be amenable to a second large residential development. Also discussed was development through a Special Permit with the Planning Board, such as a mixed-used development.

- Continuation of Remote Meetings*

- On June 16, 2021, the Governor signed an extension until April 1, 2022 of the remote meeting provisions of his March 12, 2020 Executive Order Suspending Certain Provisions of the Open Meeting Law. This allows Towns to provide adequate, alternative

means of public access to meetings instead of holding meetings in a space physically accessible to the public; the Open Meeting Law's requirement that a quorum of the Board be physically present at a meeting location is still suspended. The Board agreed to continue virtual meetings through the summer and then reevaluate.

*Appeal of Special Permit Decision*

An appeal was timely filed with the Town Clerk related to the Barn Preservation Special Permit at 59 Sampson Road to convert an historic barn to an accessory apartment.

*Master Plan Public Forum postponed*

The Master Plan Steering Committee has postponed the previously scheduled July 17<sup>th</sup> public forum due to participation concerns. The forum will instead be held either in September or October in order to accommodate greater participation in the process.

## HEARINGS

The Planning Board held a public hearing to hear and act upon the application of Justin Caless of 174 Harvard Road. The Applicant is seeking a Backland Lot Special Permit pursuant to Section 250-13 of the Code of the Town of Bolton in the Residential Zoning District for a property located at 174 Harvard Road identified on Assessor's Map 6.C as Parcel 10.

*Present:*

Justin Caless, 174 Harvard Road

- Chair Mark Sprague read the legal notice to open the public hearing.
- Justin Caless said the intent of the Backland Lot Special Permit is to divide the existing lot into two lots in order to create a 4.6 acre house lot, which will be taken out of Chapter 61.
- Mark Sprague recommended a Title V to be done for the septic system of the existing home, as the division of the lot may impact the existing system. Justin Caless said a percolation test for the proposed house lot is intended to be done in August, though the Title V for the existing home was not thought to be a requirement of the Special Permit. Justin Caless agreed to check with the Board of Health to see if this may be an important step to take prior to dividing the lot.
- **Danielle Spicer moved to continue the Public Hearing on the Backland Lot Special Permit application for 174 Harvard Road to July 21, 2021 at 7:15 pm. 2<sup>nd</sup> by Michael Gorr. All in favor by roll call: Michael Gorr - Yes, Peter Driscoll (Vice Chair) – Yes, Danielle Spicer- Yes, Mark Sprague (Chair)- Yes; (4/0/0).**

The Planning Board held a public hearing to hear and act upon the application of Environmental Pools, 184R Riverneck Road, Chelmsford, MA 01824. The applicant seeks a Special Permit for an office and sales facility for the design and installation of swimming pools (other retail, wholesale or service) at 357 Main Street identified on Assessor's Map 4.D as Parcel 21 in Bolton's Limited Business Zoning District pursuant to Sections 250-12.D and 250-23 of the Code of the Town of Bolton. The existing building will be modified and a new storage barn will be constructed along with storage areas.

*Present:*

Frank McPartlan, Dillis & Roy

- Frank McPartlan said only one item from the Board's consulting engineer's review remains unaddressed. Frank McPartlan said the applicant would prefer to modify the Landscaping and Lighting Plan after the Conservation Commission's hearing so that they may provide input on the plant species to be installed around the basin. The light fixtures will be unchanged from the current plan, though one light is shifting to provide room for the underground detention system. Frank McPartlan noted the Landscaping Plan was revised before the reduction of impervious surface, which will provide for more plantings.
- No public comments were heard.
- **Danielle Spicer moved to close the Public Hearing on the application of Environmental Pools. 2<sup>nd</sup> by Peter Driscoll. All in favor by roll call: Michael Gorr - Yes, Peter Driscoll (Vice Chair) – Yes, Danielle Spicer- Yes, Mark Sprague (Chair)- Yes; (4/0/0).**

## **BUSINESS**

### *Keyes Farm Subdivision, Moderator Way, Work Plan Update and Discussion of Enforcement*

*Present:*

Bob Pace, Developer

Seth Donohoe, Dillis and Roy

Steve Ventresca, Nitsch Engineering

- Mark Sprague said the Planning Board would like an update related to site work indicated on the June 9, 2021 inspection report from Nitsch and a work plan for completion of the project.
- Bob Pace said he feels the site plan should function as the work plan and said he feels the items on Nitsch's inspection report have each been addressed.

- Seth Donohoe noted that the sequenced work plan related to the Conservation Commission's Enforcement Order have been forwarded to the Planning Board. Seth Donohoe stated that the bond should serve as the punch list for the project.
- The Town Planner noted that there are two outstanding items from Nitsch's June 9<sup>th</sup> inspection letter: sediment removal from Basins 1 and 2 with documentation that the basins are performing as approved and municipal review of 68 previously unseen Stormwater Pollution Prevention Plan (SWPPP) reports. The Applicant forwarded several documents from Dillis & Roy to indicate the performance of the basins.
- Bob Pace stated that sediment removal has occurred.
- Steve Ventresca asked for photos related to the sediment removal from Basin 2. Steve Ventresca said he reviewed the documents from Dillis & Roy related to the performance of the basins, and they are acceptable.
- Bob Pace asked if the bond reduction request will be reviewed by the Planning Board. The Board stated that the bond reduction has been sent to Nitsch Engineering to review and provide recommendations.
- The Planning Board confirmed a site visit for June 24<sup>th</sup> at 1pm.

**Michael Gorr motioned to adjourn the meeting at 7:50 pm. 2<sup>nd</sup> by Peter Driscoll. All in favor by roll call: Michael Gorr - Yes, Peter Driscoll (Vice Chair) – Yes, Danielle Spicer- Yes, Mark Sprague (Chair)- Yes; (4/0/0).**