

PLANNING BOARD MINUTES
Wednesday, May 25, 2022, at 7:00 p.m.
Remote Public Meeting

Members Present: Peter Driscoll (Chair), Mark Sprague (Vice Chair), Erik Neyland, James Barr, Bob Roemer (Associate)
Also Present: Valerie Oorthuys (Town Planner)
Absent: Michael Gorr

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: Pete Driscoll (Chair)- Yes
Mark Sprague - Yes; Erik Neyland- Yes; James Barr-Yes, Bob Roemer (Associate)- Yes.

PUBLIC HEARING
Preliminary Phase of a Farmland and Open Space Planned Residential Development (FOSPRD), South Bolton Road, Map 2.C Parcel 23

Continued from October 27, 2021, November 10, 2021, January 12, 2022, February 9, 2022, March 9, 2022, and April 13, 2022

Present:
Jeff Motha, Applicant

Jeff Motha described changes made to the plans pursuant to comments from the Natural Heritage and Endangered Species Program. Jeff Motha said a well area and septic area was switched and a 50 foot wide conservation deed restriction was added as a buffer from the rear property line on Lots 2 through 5.

Valerie Oorthuys asked if there was any consideration given to including the 50 foot wide conservation restriction in the open space restriction rather than including the land within house lots, as this gets difficult to enforce over time. Jeff Motha said that they would think this over, though it would impact property line setbacks. Mark Sprague agreed this should be looked at, and stated that if the restricted area were to remain in the house lots it should be clearly marked.

The Applicant and the Planning Board agreed that during construction, the land should be cleared minimally, and trees along South Bolton Road should be retained to the extent possible.

The Planning Board discussed their preference for construction of sidewalks versus requesting a fee in lieu of construction.

Mark Sprague moved to continue the public hearing for the Preliminary Phase of a Farmland and Open Space Planned Residential Development at Map 2.C Parcel 23 to June 8, 2022 at 7:30pm. 2nd by James Barr. **All in favor by roll call: Pete Driscoll (Chair)- Yes, Erik Neyland- Yes; James Barr-Yes; Mark Sprague- Yes (4/0/0).**

Backland Lot Special Permit and Common Driveway Special Permit, 89-91 South Bolton Road, Map 3.C Parcels 18, 20.1, and 27

Continued from February 9, 2022.

Pete Driscoll stated that the Applicant has requested a continuance.

Mark Sprague moved to continue the public hearing for the Backland Lot Special Permit and Common Driveway Special Permit at 89-91 South Bolton Road to June 22, 2022 at 7:15pm. 2nd by James Barr. **All in favor by roll call: Pete Driscoll (Chair)- Yes, Erik Neyland- Yes; James Barr-Yes; Mark Sprague- Yes (4/0/0).**

ADMINISTRATION

Correspondence

Planner's Report

Nashua River Communities Resilient Lands Management Project

Through an MVP Action Grant our Conservation Agent is leading, Bolton is working with the Town of Clinton on the Nashua River Communities Resilient Lands Project to understand the potential for land use and land management policies and practices to support climate resilience and regeneration in the region over the coming decades. Two updates: Year 1 of the 2 year project is now complete. There will be a public meeting Wednesday, June 8 from 6-8pm at Clinton's Central Park to discuss the projects goals and accomplishments so far.

Massachusetts Downtown Initiative Grant

Business District Assessment and Market Analysis is still underway, though will not meet the June 30 grant completion deadline due to unforeseen circumstances. Both the resident survey and business and commercial property owner survey are still available. The resident survey will be closed shortly, as we've received over 270 responses. I attended last week's health fair at the COA to get more participation, and we've also reposted a 'last call' to our website and facebook pages. It will be up through the end of May.

MassTrails Grant

Planning & Conservation submitted a MassTrails grant application for the design and engineering of an off-road shared use path from the Council on Aging to the entrance of Memorial Field at Wattaquadock Hill Road. Through the existing sidewalk network along 117 and Wattaquadock, this will become the Town Center Loop Trail.

Master Plan Update

It has been difficult to get a consulting firm on board. We've now extended the RFP 3 times, with the current deadline of May 31. Consultants are seeing a high workload, but they've also noted reluctance to respond to our RFP without at least half of the needed funds secured. I've prepared a request to the Select Board for the allocation of ARPA funds so that we can inform potential respondents that we have about half of the needed funds secured. I am also preparing an application to the Housing Choice grant, due June 3, in order to get the remaining funds needed.

MassHousing Partnership's 2022 Housing Institute

MHP will host a virtual housing institute on June 7 and 8, free of cost. More information may be found at <https://www.mhp.net/news/2022/save-the-date-mhp-housing-institute>. Topics include Housing Policy as Climate Policy, neighborhood-level density, Health Impact Assessments, Zoning for Multi-family development, community engagement strategies, and wastewater for residential development.

Approval of Meeting Minutes

Mark Sprague moved to approve the minutes of April 27, 2022 and May 11, 2022 as written. 2nd by James Barr. **All in favor by roll call: Pete Driscoll (Chair)- Yes, Erik Neyland- Yes; James Barr-Yes; Mark Sprague- Yes (4/0/0).**

Vote to Authorize Town Planner to Endorse Subdivision Approval Not Required (ANR) Plans

The Planning Board discussed naming the Town Planner as their authorized agent to endorse Approval Not Required plans.

Mark Sprague moved to authorize the Town Planner to endorse Subdivision Approval Not Required (ANR) plans after Planning Board approval of said plan. 2nd by James Barr. **All in favor by roll call vote: Pete Driscoll (Chair)- Yes, James Barr- Yes, Erik Neyland- Yes, Mark Sprague- Yes (4/0/0).**

BUSINESS

Discussion of Mallard Lane Comprehensive Permit (Map 2.C Parcel 15.1)

Present:

Greg Roy, Dillis & Roy

Jim Morin, Applicant

Greg Roy provided an overview of the project and the changes made since the project was last presented to the Board in October of 2021. The number of units has been reduced from 11 to 8, as the density was creating logistical difficulties around utilities. The units that are market rate will be age-restricted, the 2 affordable units will not be age restricted. A condominium association would be created for the maintenance of shared systems and areas. The site is serviced by an on-site septic system. Each unit will have its own well. Once permitting with the ZBA is complete, the applicant intends to file a Notice of Intent with the Conservation Commission for areas within jurisdiction of the Wetlands Protection Act. The on-site sewage

disposal system will require approval from the Board of Health. Soil testing has been completed and witnessed by the Board of Health. Regarding the architecture of the dwellings, there are two unit types and each type has a mirror image option for some visual interest.

Greg Roy noted the applicant is requesting the following waivers from the Zoning Bylaw:

- Section 250-12 Schedule of Permitted Uses: An exception is being requested as multiple structures as proposed in the Comprehensive Permit is a permit/use that is not specifically stated as being allowed in the Bylaws.
- Section 250-13 C. One Building Per Lot: An exception is being requested to allow for multiple dwellings or principal structures on a single lot.
- Section 250-17 Driveways and Parking: An exception is requested to allow a private shared driveway to access eight (8) dwellings. The shared driveway shall be constructed with an increased pavement width of twenty (20) feet and in accordance with the horizontal alignment specified in the Bolton Subdivision Rules and Regulations 5220.2.

Valerie Oorthuys noted that the Board's previous discussion on the topic included wetlands considerations, deed restricting the number of bedrooms per unit, snow removal, density of the development, the septic system, and stormwater management.

Bob Roemer asked what analysis has been done to consider the drawdown and capacity of having 7 wells located close together. Greg Roy said they will be bedrock wells and always at least 50 feet apart. Greg Roy said that the wells meet BOH regulations, and the only waivers related to the wells are from setbacks to property lines.

Mark Sprague asked if landscaped areas would be irrigated, as that is a concern for water usage as well. Jim Morin said there would be irrigation available for landscaped areas from the house wells. Mark Sprague noted that would increase the draw from the wells. Bob Roemer suggested that drip irrigation is considered, as it has less of an impact.

The Board reviewed the waiver requests and agreed that due to the site layout, the waivers would be needed in order to construct the proposed development. The Board agreed the development would serve to advance the Town's goals in terms of providing housing affordability and options for older adults, a clearly stated need within the Town's 2021 Housing Production Plan.

Vote to Support American Rescue Plan Act (ARPA) Request for Master Plan Consulting Funding

The Planning Board reviewed a request made by the Town Planner to the Select Board regarding the allocation of \$70,000 of ARPA funds towards Master Plan consulting. Valerie Oorthuys stated that securing a consulting firm for this work has proved difficult, with recent feedback from firms noting the Town's lack of securing funding for the project. It is anticipated that firms would respond to the posted Request for Proposals if the Town has at least \$100,000 in available funds. Including \$30,000 approved at Town Meeting, the ARPA allocation would allow the Town Planner to notify consulting firms that reasonable funds are secured. In order to fully fund the project, the Planning Department will submit a grant request through the Community OneStop process.

Mark Sprague moved to support the ARPA request for Master Plan consulting funding. 2nd by James Barr. **All in favor by roll call vote: Pete Driscoll (Chair)- Yes, James Barr- Yes, Erik Neyland- Yes, Mark Sprague- Yes (4/0/0).**

Review of Draft Marijuana Establishment Special Permit Rules and Regulations

The Planning Board reviewed changes made to the draft document pursuant to their discussion of May 11, 2022. The Planning Board agreed that a public hearing should be set to adopt the Rules and Regulations.

Erik Neyland moved to adjourn. 2nd by James Barr. **All in favor by roll call: Mark Sprague (Chair)- Yes, Pete Driscoll- Yes; Erik Neyland- Yes; James Barr-Yes (4/0/0).**

Respectfully Submitted,
Valerie Oorthuys