

PLANNING BOARD MINUTES

Wednesday, October 25, 2023, at 7:00 p.m.

Remote Public Meeting

Members Present: Michael Gorr (Chair), Bob Roemer, Michael Lau, Robert Roemer, James Barr, Erik Neyland (entered meeting at 7:15)

Members Absent: Austen Groener

Also Present: Pamela Harding (Town Planner)

PUBLIC HEARINGS

1. **1st Item: - 357 Main Street – Special Permit granted on July 21, 2021** – Request for unsubstantial change for façade amendment – Request for unsubstantial change to minor façade improvements. The Planning Board issued a Special Permit for the modification of an existing 21,295 SF commercial building, alteration to parking and the addition of two outdoor storage areas. Seth Donahue is proposing to alter the front façade of the existing structure which previously detailed painting. The new facade will incorporate longboard panels. Seth Donahue presented the plans.

Michael Gorr made a motion to approve the façade changes as an unsubstantial change, the motion received a second by Robert Roemer–Roll call Michael Gorr, yes; Robert Roemer, yes; Michael Lau, yes; James Barr, yes; Motion passes 4-0.

Seth Donahue, Dillis and Roy, also requested the Board review some minor amendments to the parking layout relocating six spaces to the turn around area, the spaces are required to comply with zoning requirements. The Board was ok with the change but wanted to verify the existing large boulder did not inhibit site distance, and will review it at the December 6th meeting after a site inspection..

2. **Special Permit – Warner Ave** – update on status of Special Permit application for the creation of a backland lot. Town Counsel was consulted to aid in the determination of eligibility of the Special Permit due to a large majority of frontage being located in the Town of Harvard. It was determined the property was not eligible for the special permit due to the lack of frontage on a public way in the Town of Bolton, as required in the definitions of the zoning bylaw.

Michael Gorr made a motion to approve the applicants request to withdraw the Special Permit application for the creation of a backlot on Warner Ave without prejudice, the motion received a second by Robert Roemer–Roll call Michael Gorr, yes; Robert Roemer, yes; Erik Nyland yes; James Barr, Michael Lau, yes; **Motion passes 5-0.**

Michael Gorr suggested the Board revisit the wording of the Backland Lot Bylaw, this bylaw is being evaluated by a consultant through a land planning grant and it was recommended the Board wait to determine if there are additional amendments recommended to prevent altering the bylaw twice.

3. **Century Mill Estates – Estimate for completion of work** Nitsch Engineering has submitted a revised budget for completion of work within the Century Mill Estates subdivision for road completion, utilizing prevailing wage rates. There are three options the Town has identified for the project to move forward.

The first process consists of the Town completing all required construction items and then applying a betterment charges to the land owners within the subdivision. To enable a betterment the Town is required to adopt a bylaw which enables betterments, if this is accepted 51% of the lot owners are required to petition for the betterment to apply to lot owners in the subdivision. The cost incurred for construction would be distributed amongst all the

lot owners over a period of time specified, up to 20 years. The Town would require the subdivision be brought up to Town standards and would have to pay prevailing wage, which often significantly increases costs.

The second option is for the homeowners to complete the required work independently and petition the Town for street acceptance, this is expected to save costs by avoiding prevailing wage requirements.

The third option is for the residents to maintain private road ownership and maintenance responsibilities of the infrastructure.

The cost for construction came in for slightly over one million dollars. One of the major costs were the installation of magnetic tape on the water lines, it was not clear if this completed, there is also sidewalk repair costs included if installation of the tape is required.. This is intended to be the worst-case cost.

The water system is intended to remain privately owned however it is located within in the public way and because there are no known as-builts the actual location of the water line must be determined. Escalation is built into the costs and construction estimates.

Vincent Larosa, 73 Old Stone Circle – surprised there is not an as-built. Mr. Larosa asked who would set the time frame for the betterment payments, it is expected the time is determined during the acceptance of the warrant article authorizing borrowing of the money. It is a lien on the house and future owners would be responsible for payment, or residents would have an option to pay it off immediately.

Jon Balewicz – 21 Cider Circle stated that it equates to approximately \$25,000 dollars per lot owner and would affect resale value of the lots. He appreciated the effort but thought there should be more construction oversight and is frustrated, he thought the number would be significantly less.

Kai Chuang – 71 Mill Pond Road disputed the list of items that required completion and thought the homeowners should take legal action. Thought the goal post was being altered.

Michael Gorr responded that a thorough punch list was never completed for street acceptance purposes.

Erik Nyland questioned why the taping of the water mains is included in the scope and is a new item that did not appear in previous bonding requests. R. Roemer asked for additional details and the functional requirement of the items on the list.

Erik Nyland asked if we can simply use equipment to determine if the water line has metal taping and wondering why this has not been mentioned previously. Michael Lau is not surprised by the costs but noted many of the costs are related to the water supply, and wondered if it would be beneficial to abandon the system and install private wells on the lots. Also if the Town did not accept the roadway what items would be required.

The Town does not have the required equipment to locate the water lines, but if this could be verified it a few significant line items could be deleted.

Chat comments Kai Chuang 01:13:38

KC

https://www.townofbolton.com/sites/g/files/vyhlf2836/f/minutes/pb_minutes_052720.pdf

Kai Chuang

01:18:46

https://www.townofbolton.com/sites/g/files/vyhliif2836/f/minutes/pb_minutes_102120_0.pdf

https://www.townofbolton.com/sites/g/files/vyhliif2836/f/minutes/pb_minutes_090920.pdf

https://www.townofbolton.com/sites/g/files/vyhliif2836/f/minutes/pb_minutes_011321.pdf

https://www.townofbolton.com/sites/g/files/vyhliif2836/f/minutes/pb_minutes_110719.pdf

Here are some record of town's involvement in the road acceptance process.

Land Use Planning Grant Open Space Development Bylaw and Regulation Review – The consultant has started reviewing our existing Bylaws and Regulations. An in person community workshop is expected to be scheduled late in January, 2024. A summary report should be available for the November 8, 2023 meeting.

500 Main Street – A preliminary development proposal for a warehouse and 24 units for ages 55 and over was presented to the Selectboard and it was suggested the preliminary plans be presented to the Planning Board due to the Zoning Bylaw change. The over 55 development was not permitted under zoning but could be permissible through a town supported Local Initiative Chapter 40B application. All traffic to the warehouse would be through Route 117. The presentation to the Selectboard included a rotary at the 495 interchanges. The Selectboard seemed neutral to the project. Erik Nyland thought it would be a bylaw change to allow warehousing in the Business District. Robert Roemer was concerned about the addition of a round-about and a traffic light on Route 117. The Board had collective concerns about traffic, the Board all agreed that additional information was needed before any guidance/opinions were provided.

Master Plan Steering Public Forum Meeting - Review and comment on Goals and next steps of the Master Plan – the consultant is compiling the results of the public forum goals and develop more details implementation items.

Michael Gorr made a motion to approve the minutes of September 27, 2023 the motion received a second by Robert Roemer–Roll call vote; Michael Gorr, yes; Robert Roemer, yes; Michael Lau, yes; Erik Nyland, yes. James Barr, yes; the minutes were approved by a vote of 5-0/0.

ADJOURN

Michael Gorr makes motion to adjourn the meeting, seconded, motion passes unanimously 5-0.

The October 25, 2023 meeting minutes were approved at the November 8, 2023 meeting of the Planning Board