

February 28, 2022
5293

Bolton Zoning Board of Appeals
663 Main Street
Bolton, MA 01740

**RE: Mallard Lane
 Comprehensive Permit
 Bolton, Massachusetts**

Dear Members of the Board:

On behalf of the applicant, Mr. James Morin, Dillis & Roy Civil Design Group, Inc. is submitting revised Comprehensive Permit Plans for Mallard Lane. These plans have been revised in response to feedback received from the Board to date.

The project previously proposed eleven (11) dwelling units. Based upon discussions during the Public Hearings for the project, the number of dwellings has been reduced to eight (8). Of these eight (8) dwellings, two (2) of the dwellings will be available to households earning at or below 80% of the Area Median Income. It is the intent of the applicant to restrict six (6) of the dwellings as age restricted units. If desired by the Town, the two (2) units designated as affordable will not be subject to this restriction and the infrastructure at the site has been revised to allow for this option.

As requested by the Board, the sewage disposal system has been revised to omit the need for force mains/pump chambers for seven (7) of the proposed units. The proposed leaching area has been relocated to allow for gravity flow while meeting the setback distances required by 310 CMR 15 (The State Sanitary Code, Title 5) and the more restrictive regulations of the Bolton Board of Health.

Additionally, in response to comments received, the proposed access alignment has been adjusted to provide for an increased setback to wetland resource areas. The enclosed plans depict the locations of the proposed dwellings along with the supporting infrastructure.

The applicant has applied for a Comprehensive Permit under the Rules and Regulations established by the Bolton Zoning Board of Appeals and the provisions of M.G.L. Chapter 40B. The applicant is requesting exceptions from certain zoning and other local regulations necessary to complete the project depicted on the enclosed plans. Details of specific waivers and exceptions are outlined below:

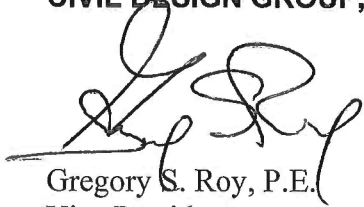
- Code of the Town of Bolton Section 147- Groundwater Protection
 - An exception is requested from this Section and all subsections, as the Development shall follow requirements of M.G.L. Chapter 40B and its regulations, guidelines, and practices. This process would be redundant with the Comprehensive Permit process as established by State regulations and by the Bolton Zoning Board of Appeals. More specifically a waiver is requested from section §147-1B(3) to allow for the construction of this development, which includes eight (8) single family structures.
- Bolton Wetlands By-Law Section 233-2 To waive the jurisdiction of the Bolton Wetland Bylaw and associated regulation to allow alterations depicted on the plans within the adjacent upland resource area and buffer zones to wetland resource areas in accordance with the setbacks below:
 - To allow pavement associated with the site access to be located 56' from a wetland resource area.
 - To allow grading and clearing to occur 30' from a wetland resource area.
 - To allow the proposed well for Unit 1 to be located 73' from a wetland resource area.
 - To allow the proposed well for Unit 6 to be located 100' from a wetland resource area.
 - To allow the proposed well for Unit 7 to be located 57' from a wetland resource area.
 - To allow the proposed well for Unit 8 to be located 78' from a wetland resource area.
 - To allow Unit 7 to be located 90' from a wetland resource area.
 - To allow a stormwater outlet to be located 62' from a wetland resource area.
 - To allow a retaining wall to be located 44' from a wetland resource area.
- Bolton 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.
- Bolton Zoning Bylaw 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.
- Bolton Zoning Bylaw 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.
- Town of Bolton Well Regulations– Section 4.1 Well Location Requirements:
 - To allow the well for Unit 1 to be located 20' from a property line.

- To allow the well for Unit 3 to be located 38' from a property line.
- To allow the well for Unit 6 to be located 36' from a property line.
- To allow the well for Unit 8 to be located 20' from a property line

We look forward to working with the Board to provide affordable housing consistent with local need. Please contact the undersigned should you require additional information.

Regards,

DILLIS & ROY
CIVIL DESIGN GROUP, INC.

A handwritten signature in black ink, appearing to read 'G. S. Roy', is written over a horizontal line.

Gregory S. Roy, P.E.
Vice President