AMENDED DECISION ON APPLICATION FOR COMPREHENSIVE PERMIT

RE: Application to the Bolton Zoning Board of Appeals (the "Board") for a Comprehensive Permit (the "Application") submitted by Still River Road Development, LLC ("Still River" or the "Applicant") and Deschenes & Farrell, PC for the property located on Still River Road, Bolton, Massachusetts 01740, identified by Bolton Assessor's Map 8.B as Parcels 32 and 33; and Remand Order from the Commonwealth of Massachusetts, Housing Appeals Committee dated July 14, 2020.

PROCEDURAL HISTORY

- 1. Still River controls the site off Still River Road, Bolton, Massachusetts, identified by Bolton Assessor's Map 8.B as Parcels 32 and 33, and described in a deed dated January 16, 2018 to Turn Left LLC, recorded with the Worcester District Registry of Deeds at Book 58346, Page 150 (the "Property").
- 2. On August 21, 2018, Still River submitted an application for a Comprehensive Permit ("Application"), pursuant to M.G.L. c. 40B, §§ 20 through 23 ("Chapter 40B"), to construct eight (8) condominium dwelling units, on the Property, which contains approximately 6.68 acres. The original Application proposed a condominium development consisting of four (4) two-unit duplex style buildings located on two lots each containing two (2) duplex buildings. The Applicant proposed two (2) of the eight (8) units to be affordable.
- 3. The ZBA conducted the public hearing on the Application on September 24, 2018 and continued to October 17, 2018, November 19, 2018, November 26, 2018, December 18, 2018, January 17, 2019, February 12, 2019, February 19, 2019, March 6, 2019, March 19, 2019 and April 2, 2019; the ZBA closed the public hearing on April 2, 2019.
- 4. The ZBA voted at a public meeting held on April 18, 2019 to deny the Application.
- 5. On May 9, 2019, the ZBA issued its written Decision denying the Comprehensive Permit, recording its Decision with the Town Clerk on the same date.
- 6. On May 29, 2019, Still River appealed the ZBA's Decision to the Commonwealth of Massachusetts Housing Appeals Committee in Still River Development, LLC v. Town of Bolton Zoning Board of Appeals, HAC No. 2019-05 (the "HAC Appeal").
- 7. In order to avoid the cost, delay and uncertainty of appeals and litigation, and without any admission of liability whatsoever, the Town Defendants and Still River entered into a Settlement Agreement on June 26, 2020 to memorialize the

terms and conditions associated with the resolution of the HAC Appeal and any and all rights, claims, debts, demands and causes of action under any legal, statutory, common law or equitable theory Still River may have against the Town Defendants in connection with the Application.

- 8. Under the terms of the Settlement Agreement, Still River has submitted revised site plans entitled "Revised Comprehensive Permit Plan on Remand from the Housing Appeals Committee, Still River Road, Map 8.B Parcel 32, Bolton, MA, Still River Commons" prepared by Ducharme & Dillis Civil Design Group, Inc. dated February 18, 2020; Sheets C1.0, C1.1, C1.2, C2.1, C3.0, C3.1, C4.0, C4.1, C5.0, and C6.0 ("Revised Plan"). The Revised Plan amends Still River's Application. As set forth in the Revised Plan, the revised project plan consists of four (4) single-family homes, each home with three (3) bedrooms. One (1) of the single-family homes will be affordable.
- 9. Also under the terms of the Settlement Agreement, Still River has submitted a sample rendering, elevations and floor plans, together with such other supplemental materials it has chosen or the Board has reasonably requested in connection with the Revised Plan.
- 10. Pursuant to the Settlement Agreement, Still River and the Town Defendants requested a remand from the Housing Appeals Committee so that the Board could conduct a public hearing and consider the Revised Plan.
- 11. Pursuant to the Settlement Agreement, the Board is required, after notice to all parties in interest, as defined by M.G.L. c. 40A, § 11, publication in a newspaper of general circulation, and a public hearing in accordance with M.G.L. c. 40B, to issue this Amended Decision amending its prior Decision.
- 12. A public hearing on the Amended Decision was noticed for August 10, 2020. Notice of the public hearing was published in The Clinton Item on July 24, 2020 and July 31, 2020. Both notices were posted for 14 days on the Bolton town website, and mailed to parties in interest at least 14 days before the public hearing.
- 13. The ZBA commenced the public hearing on the Amended Decision on August 10, 2020 via Zoom Video Communication, Inc. in accordance with Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18. All those opposed or in favor were provided the opportunity to be heard using their telephone, cell phone and/or computer.
- 14. Members of the ZBA attending the public hearing, deliberating and voting on the Amended Decision were Chairman Gerard Ahearn, and Members Bradley Reed, Bryan Holmes, Kay Stoner and Andy Kischitz.
- 15. Still River and its representatives were in attendance at the public hearing. Still

- River's representatives were Attorney Adam Costa of Mead, Talerman & Costa, LLC, and Seth Donohoe of Ducharme & Dillis Civil Design Group, Inc.
- 16. Town Counsel, David McCay of Mirick, O'Connell, DeMallie & Lougee, LLP, was in attendance at the public hearing.
- 17. The Board received comments from abutters and/or residents throughout the course of the public hearing, which were made part of the public record.
- 18. Throughout its deliberations, the Board was mindful of the statements of Still River and its representatives, and the comments of the general public, all as made or received at the public hearing.

GOVERNING LAW

M.G.L. c. 40B, §20 through 23 known as Chapter 40B or the Comprehensive Permit Law, 760 CMR 56.00 and the *Guidelines for G.L. c. 40B Comprehensive Permit Projects and the Subsidized Housing Inventory* published by the Massachusetts Department of Housing Community Development.

RECORD DOCUMENTS

True copies of the original Application, the Settlement Agreement, the Revised Plan, and all materials submitted to the Board relevant to Application by the Applicant, and others, and the notices of the public hearing, are made a part of the record of this Amended Decision and listed in Appendix A. These materials are on file with the Office of the Town Planner.

DISCUSSION AND FINDINGS

- 1. Over the course of the hearing, the Board heard testimony as summarized in the discussion and findings set forth below.
- 2. Under the Settlement Agreement, Still River has agreed to dismiss its appeal to the Housing Appeals Committee and has amended its Application in accordance with and by virtue of submitting the Revised Plan and the accompanying sample rendering, elevations, floor plans and other supplemental materials. Still River's Application, as revised, is for a Comprehensive Permit, pursuant to M.G.L. c. 40B, §§ 20 through 23 (Chapter 40B), to construct four condominium dwelling units, on the Property, which contains of approximately 6.68 acres. The condominium development will consist of four (4) single-family homes, each home with three (3) bedrooms. One (1) of the single-family homes will be affordable.
- 3. Testimony was heard from the Still River's representatives and members of the public attending the hearing. An overview of the Revised Plan was presented by Still River's representatives emphasizing the changes between the original project

Plan and the Revised Plan. These changes were designed to address the reasons articulated by the Board in its Decision in denying the original Application and the original 8-unit Plan, including the Board's concerns with respect to the environment, wetlands, stormwater and public health, safety and welfare. The changes and improvements to the Revised Plan included the following:

- a. The Revised Plan reduces the number of units (from 8 duplex units to 4 single-family homes).
- b. The Revised Plan reduces the number of bedrooms (from 18 to 12), which also reduces the septic system requirements and the size of the septic system.
- c. The Revised Plan reduces the overall footprint of the buildings, improving the stormwater management, including with the utilization of certain Low Impact Development (LID) Measures as defined by the Massachusetts Department of Environmental Protection.
- d. The Revised Plan reduces disturbances to the Wetland Resource Areas, and overall reduces the wetlands, environmental and stormwater impacts of the project.
- e. The Revised Plan provides for an increased offset between wetlands and dwellings. All dwellings are positioned outside the locally regulated 25' wetland buffer zone while allowing all units to meet the front, side and rear yard setbacks specified by the Bolton Zoning Bylaw. The original plan proposed eight (8) the dwelling units within the 25' buffer zone to wetlands and required waivers from lot line setback requirements, which are not required by the Revised Plan.
- f. The original plan required thirty two (32) waivers from local bylaws and regulations, while the Revised Plan reduces the number of waivers to eight (8).
- g. The Revised Plan will result in an increase in the available flood storage at the site through the construction of a compensatory flood storage area to be located outside the locally regulated 25' buffer zone to wetlands. The compensatory flood storage area will benefit abutting properties by providing additional storage for flood waters on the Still River Commons site.
- h. The Revised Plan incorporates certain LID techniques to appropriately mitigate stormwater utilizing less subsurface infrastructure than did the 8-unit plan.
- i. The Revised Plan will improve the vegetation along the Still River Road frontage through the implementation of an invasive species removal plan not included in the 8-unit plan.

j. The Revised Plan maintains the previously proposed drainage improvements to the Still River Road right of way.

It was further noted that the Revised Plan utilizes a clustered development allowing for 95% of the site to remain open space.

- 4. The Board heard testimony from the public. The abutters/residents in attendance of the hearing expressed comments relating to potential archeological finds during construction, filing with the Natural Heritage Endangered Species Program, fire and safety, tree removal along the frontage, stormwater management, impact to floodplain, wetland resource area delineation, filing with the Bolton Conservation Commission, sewage disposal system design, potential impact to neighboring wells, filing with the Board of Health, construction oversight and enforcement, and setup of the condominium association.
- 5. In response to public testimony, the Board and Applicant agreed that the site superintendent, contractors and laborers will be advised to set aside, in safe keeping, any potential archeological artifacts discovered during construction. If any potential archeological artifacts are identified during construction, the Applicant will notify the Town Planner, the Applicant shall exercise due care in further construction operations to preserve any additional artifacts on site, and the Bolton Historical Commission shall have access to these objects for observation and recording.
- 6. Based on the comments and evidence received, the Board members deliberated among themselves before the Chair called for a motion.

REQUESTED WAIVERS AND EXEMPTIONS

Reference	Description	Disposition by Board
Code of the Town of Bolton	To allow for the construction	Approval
§147-1B(3). Groundwater	of the development, which	
Protection	includes multiple single-	-
	family structures.	
Bolton Wetlands Bylaw	To allow alterations and	Approval
§233-2. Jurisdiction	placement of structures with	
	supporting infrastructure	
	within the adjacent upland	
	resource area as depicted on	
	the Revised Plan. Alterations	
I	within 25' of wetlands shall	
	be limited to grading with	
	clearing, the installation of	
	subsurface cable utilities,	
	grading for Still River Road	
	drainage improvements, and	
	naturalization of a portion of	

	41 6.11 11 11 212	
	the field as allowed by 310	
	CMR 10. Alterations to	
	bordering vegetated wetlands	
	are not proposed nor	
	requested as part of this	
	waiver.	
Bolton Wetlands Bylaw	To allow only the definitions	Approval
§233-7. Regulations	of the Wetlands Protection	
	Act (310 CMR 10) to apply.	
Bolton Board of Health	To allow reserve leaching	Approval
Regulations Requirements for	facility to be located within	
the Subsurface Disposal of	35 ft. of access driveway	
Sanitary Sewage	(33 ft. provided; note: system	
Regulation 4. Distances	located upgradient of	
	driveway), and to allow septic	
	tanks and pump chambers	
	to be located adjacent to unit	
	driveways (tanks to be rated	
	for H20 loading) as allowed	
	by 310 CMR 15;	
Bolton Board of Health	To allow leaching area to be	Approval
Regulations Requirements for	located within 100 ft. of a	FF
the Subsurface Disposal of	bordering vegetated wetland	
Sanitary Sewage	(50 ft. provided) as allowed	
Regulation . Distances	by 310 CMR 15;	
Bolton Zoning Bylaw, §250-	An exception is being	Approval
12. Schedule of Permitted	requested as multiple	ripprovar
Uses	structures is a permit/use that	
	is not specifically stated as	
	being allowed in the Bylaws.	
Bolton Zoning Bylaw, §250-	An exception is being	Approval
13.C. One Building Per Lot	requested to allow for	Approval
13.5. One Building I of Lot	multiple principal structures	
	on a lot.	۰
Bolton Zoning Bylaw, §250-		Ammorral
17. Driveways and Parking	An exception is requested to	Approval
17. Driveways and Farking	allow a shared driveway to	
	access four (4) dwellings on	
	one (1) lot.	

AMENDED DECISION

Following the public hearing on August 10, 2020, Bradley Reed made a motion, seconded by Bryan Holmes, that the Board approve the Amended Decision subject to the inclusion of updates by Town Counsel and review by Chairman Gerard Ahearn and Town Planner, Erica Uriarte. The Comprehensive Permit, in accordance with the Revised Plan, is subject to and in accordance with the following conditions:

- 1. <u>Subsidizing Agency</u>. The Subsidizing Agency for the project shall be the Massachusetts Housing Finance Agency (MassHousing), which shall perform administration, monitoring and enforcement services, as applicable, regarding compliance with this Comprehensive Permit as it relates to the terms of the Regulatory Agreement, and Monitoring Services Agreement, in perpetuity in accordance with the requirements of M.G.L. c. 184, §§ 31-33.
- 2. Prior to the grant of a building permit, Still River shall submit final Regulatory and Monitoring Services Agreements and Deed Rider to the Zoning Board of Appeals and Town Counsel for review and approval, which approval shall not be unreasonably withheld or delayed.
- 3. MCO Housing Services, LLC, or such other organization as may be approved by the Zoning Board of Appeals, shall serve as the lottery agent for the selection of purchaser of the affordable dwelling. Prior to conducting the lottery, Still River shall submit a final lottery plan to the Zoning Board of Appeals.
- 4. <u>Condominium Documents</u>. Prior to the issuance of the first certificate of occupancy, Still River shall submit Condominium Documents to the Zoning Board of Appeals and Town Counsel for review and approval, which approval shall not be unreasonably withheld or delayed.
- 5. Open Space Protection: The development area of the Property is surrounded by approximately 5.58 acres of wetlands and open meadows (defined here as the "Protected Open Space Area"). This area, as shown on a draft "Declaration of Restriction Plan" prepared by Ducharme & Dillis Civil Design Group, Inc., dated March 13, 2019 and submitted to the to the Board, shall be made subject to a Declaration of Restriction and subsequent Conservation Restriction, as required and in forms approved by the Massachusetts Department of Fisheries and Wildlife and the Executive Office of Energy and Environmental Affairs (Division of Conservation Services), as applicable; provided, however, that nothing shall preclude Still River from negotiating a Conservation Restriction forthwith and thereby eliminating the need for a preceding Declaration of Restriction. The Zoning Board of Appeals shall designate the entity which shall hold the Conservation Restriction. Prior to recording the aforesaid document(s), Still River shall submit the Declaration of Restriction and Conservation Restriction to the Zoning Board of Appeals and Town Counsel for review and approval, which approval shall not be unreasonably withheld or delayed. Upon approval by the Zoning Board of Appeals and Town Counsel, these document(s) shall be recorded at the Worcester District Registry of Deeds. Still River agrees that the Town shall be authorized to enforce the Declaration of Restriction and the Conservation Restriction.
- 6. <u>Wetlands Review</u>. The issuance of the Comprehensive Permit is further subject to the requirements of the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40, the Massachusetts Wetlands Protection Act Regulations, 310 CMR 10.00,

- and Still River applying for and obtaining an Order of Conditions from the Town of Bolton Conservation Commission. Any additional changes, alterations, modifications, conditions or amendments, as required during the process of applying for and obtaining an Order of Conditions, shall be further conditions attached to the building permit(s), and no occupancy permit(s) shall be issued until the Applicant has complied with all conditions.
- 7. <u>Board of Health Review.</u> The issuance of the Comprehensive Permit is further subject to the requirements of M.G.L. c. 21A, § 13 and "Title 5," 310 CMR 15.00, and Still River applying for and obtaining a Title 5 Permit from the Town of Bolton Board of Health. Any additional changes, alterations, modifications, conditions or amendments made as a precondition to obtaining, or made a condition of, the Title 5 Permit shall be deemed incorporated herein.
- 8. Stormwater and Erosion Control Management. Still River shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. This individual shall be responsible for checking the Property before, during, and after storm events including weekends and evenings when storms are predicted. This individual shall ensure that no untreated stormwater leaves the Property consistent with the Commonwealth's stormwater regulations. This individual shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. Still River shall grant this individual access to the Property as it relates to monitoring stormwater and erosion controls as aforesaid.
- 9. <u>Fire Protection</u>. All dwellings shall be sprinklered in accordance with § 250-19.1 of the Bolton Zoning Bylaws. The design of the systems shall be reviewed and approved by the Bolton Fire Department.
- 10. No Parking on Still River Road or Vaughn Hill Road. On-street parking on Still River Road and/or Vaughn Hill Road, whether for residents of or visitors to the project, is prohibited. All resident and visitor parking shall be within the designated parking areas for each single-family home in the project.
- Architectural Design. The architectural design of the homes shall be in strict accordance with the Northpointe Village Rendering ("Rendering") submitted by Still River with exception of the fireplace (the Rendering depicts the Sheffield model.) In the event of differences or a conflict between the Rendering and the elevations/floor plans submitted by Still River, the design and details of the Rendering shall control. Window sizes shall be 33½" x 57" with a rough opening (R/O) of 34" x 57½", as indicated by the Applicant. All windows shall be TrustGuard windows (unless otherwise approved by the Zoning Board of Appeals), six over six design, and dressed with shutters as depicted in the Rendering. To provide symmetry, and if feasible within the limitations of the Building Code, Still River shall provide a matching extra window on the side wall of the family room aligned beneath the third bedroom window on the second

- floor. The siding shall be Georgia Pacific/Forest Ridge siding, and the shingles shall be ICO/Cambridge/Dual Black roofing shingles.
- 12. <u>Dwelling Materials and Colors</u>. All siding shall have a smooth finish and not a weather board finish. Siding colors shall be subdued and consistent with Bolton neighborhoods, and no more than two of the homes shall be painted the same color. Front doors shall be painted a different color from the siding, as depicted in the Rendering.
- 13. <u>Affordable Unit</u>. Subject to the requirements with regard to dwelling colors in Paragraph 12 above, the affordable unit shall otherwise be identical in exterior appearance and materials to the market-rate units within the project.
- 14. <u>Invasive Species Management Area</u>. Still River shall provide the removal and/or treatment of invasive species along the frontage of the Property as outlined in the Invasive Species Management Plan dated February 5, 2020.
- 15. Existing Trees. Except where the Proposed Shared Driveway enters/exits the Property, per the Revised Plan, Still River shall maintain to the maximum extent practicable the vegetated buffer along the frontage of the Property with exception of invasive species. The removal of existing trees with a diameter of 1½ inches or greater within the public right-of-way shall require approval from Bolton's Tree Warden. Any trees removed from the right-of-way without approval shall require replacement with an equivalent size and species of tree.
- 16. Construction in Accordance with the Revised Plan and All Applicable Laws.

 Construction of all structures on the Property will be in accordance with all applicable Building Codes in effect in the Town of Bolton and the Commonwealth of Massachusetts, and shall be built according to the Revised Plans and any building permit issued by the Building Inspector for the Town of Bolton.
- 17. Construction Hours of Operation. Construction activities shall be conducted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m. Construction activities shall not occur on weekends or federal holidays. For purposes of this condition, construction activities shall include, but not be limited to each of the following: start-up of equipment or machinery, delivery of building materials and supplies, removal of trees, grubbing, clearing, grading, filling, excavating or moving earth materials, installation of utilities both on and off the site, demolition of existing structures, removal of stumps and debris, and erection of new structures.
- 18. <u>Construction Oversight.</u> The Zoning Board of Appeals shall require, at the expense of Still River, reasonable construction inspection services by its consultant engineer. This does not include inspection of the sewer lines and septic systems or private utilities. Still River shall provide an initial deposit in the amount of \$5,000 made payable to the Town of Bolton. The deposit shall be

- required prior to the commencement of any of the improvements and/or work shown on the Revised Plan. Still River shall be responsible for replenishing these funds on an as-needed basis during the course of construction.
- 19. <u>Pre-Construction Meeting</u>. Prior to commencement of construction, a pre-construction meeting with the site superintendent, Town officials, Zoning Board of Appeals, and/or Board's consultant engineer shall be required on-site.
- 20. Occupancy. No dwelling shall be occupied until the improvements specified in this Comprehensive Permit and set forth on the Revised Plan are constructed and installed to adequately serve said dwelling or until adequate security has been provided acceptable to the Zoning Board of Appeals to ensure such completion.
- 21. <u>Compliance with Applicable Laws</u>. Still River agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction and maintenance of the project.
- 22. <u>Post-Construction Meeting</u>. Prior to the issuance of the final certificate of occupancy, an on-site construction meeting with the site superintendent, Town officials, Zoning Board of Appeals, and/or Board's consultant engineer shall be required to review any outstanding site items and to establish a timeline for project completion.
- 23. <u>Cost Certification</u>. Still River shall submit copies of Cost Certification documentation to the Zoning Board of Appeals within ninety (90) days of the completion and conveyance of all dwellings.
- 24. <u>As-Built Plans</u>. Ninety (90) days after construction and conveyance of the last dwelling, Still River shall submit final on the ground "As Built" plans to the Zoning Board of Appeals to show the actual location and elevations of the driveway, stormwater features, dwellings, potable well, septic system, and other utilities.
- 25. <u>Incorporation of Submissions</u>. All plans, photo renderings, reports and other documentation provided by Still River as part of the Revised Plan, and as amended or revised during the application/hearing process before the Zoning Board of Appeals, are incorporated into and become a part of this Comprehensive Permit and become conditions and requirements of the same, unless otherwise altered by the Zoning Board of Appeals during the public hearing.
- 26. Recording of Decision. In accordance with the provisions of M.G.L. c. 40A, § 11, Still River, at its expense shall record this Comprehensive Permit in the Worcester District Registry of Deeds after the Town Clerk has certified that the twenty-day (20) period for appealing this Comprehensive Permit has elapsed with no appeal having been filed, and before Still River has applied to the Building Inspector for a building permit. Upon recording, Still River shall forthwith provide a copy of the recorded Comprehensive Permit to the Town Planner's office, the Building Department and Town Counsel. Notwithstanding the

foregoing, nothing herein shall preclude the Still River from electing to proceed at risk with construction of the project, per 760 CMR 56.05(12)(a), and, therefore, from recording this Comprehensive Permit in advance thereof.

This Amended Decision is made as a settlement of disputed claims, is made without any admission of liability by Still River, the Town or the Board, and is without prejudice to and sets no precedent for any future zoning or permitting issue or matter that may come before the Town, its officials, the Board, or any other board or committee of the Town, with respect to any other property, structure or use, including but not limited to any structure, use, project, proposed project under Chapter 40B or otherwise.

RECORD OF VOTE

The ZBA voted as follows: Gerard Ahearn, Andy Kischitz, Bradley Reed, Bryan Holmes and Kay Stoner. Still River's use of the Premises is allowed subject to and in accordance with the conditions set forth here with a vote of five (5) in favor and zero (0) opposed.

Gerard Ahearn – YES Bradley Reed – YES Andy Kischitz – YES Kay Stoner – YES

Bryan Holmes - YES

Gerard Ahearn, Chairman

Dated:

On behalf of the Zoning Board of Appeals

Appeals, if any, to this Decision must be made pursuant to M.G.L. c. 40B, § 22 and M.G.L. c.40A, §17, and must be filed within twenty (20) days after the date of filing of this Decision in the office of the Bolton Town Clerk.

This Decision shall not take effect until a copy of this Decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after this Decision has been filed in the office of the Town Clerk, and that no appeal has been filed within said twenty (20) days; or that, if such appeal has been filed, that it has been dismissed or denied; provided, however, that nothing herein shall preclude the Still River from electing to proceed at risk with construction of the project, per 760 CMR 56.05(12)(a).

FILED WITH THE TOWN CLERK

Filed with the Town Clerk on Hugust 24, 2020.
Pamela Powell, Town Clerk J. Marguis, ASST. Town Clark
CERTIFICATE OF NO APPEAL
The undersigned, being the Town Clerk of the Town of Bolton, certifies that the 20-day appeal period on this Amended Decision has passed and there have been no appeals made to this office.
Date:, 2020.
Pamela Powell, Town Clerk

Copy of Amended Decision mailed to: Abutters Surrounding Towns Bolton Boards and Committees Applicant

APPENDIX A: RECORD DOCUMENTS

- 1. Notices of Public Hearing dated July 24, 2020 and July 31, 2020.
- 2. Settlement Agreement between Town Defendants and Still River dated June 26, 2020.
- 3. Revised Plan entitled "Revised Comprehensive Permit Plan on Remand from the Housing Appeals Committee" prepared by Ducharme & Dillis Civil Design Group, Inc. for Still River Road Development, LLC, dated February 18, 2020 and revised July 20, 2020.
- 4. Northpointe Village Rendering, elevations and floor plans.
- 5. "Declaration of Restriction Plan" prepared by Ducharme & Dillis Civil Design Group, Inc., dated March 13, 2019.
- 6. Invasive Species Management Plan for Still River Commons, Map 8.B Parcel 32, Bolton, Massachusetts prepared by Ducharme & Dillis Civil Design Group, Inc. dated February 5, 2020.
- 7. Site Plan entitled "Exhibit Plan Remand Project, Still River Commons, Bolton, Massachusetts" prepared by Ducharme & Dillis Civil Design Group, Inc. for Stiver River Road Development, LLC, dated August 7, 2020.
- 8. Site Plan entitled "Exhibit Plan Locus, Still River Commons, Bolton, Massachusetts" prepared by Ducharme & Dillis Civil Design Group, Inc. for Stiver River Road Development, LLC, dated August 8, 2020.