

February 19, 2019

Zoning Board of Appeals
663 Main Street
Bolton, MA 01740

Re: Still River Commons Requested Exceptions

Dear Members of the Board:

On Behalf of Still River Road Development, LLC Ducharme and Dillis Civil Design Group (CDG) respectfully submits the below revised list of requested exceptions. A list of exceptions was included in the initial Comprehensive Permit Application submitted by Deschenes & Farrell, PC received by the Town of Bolton on August 21, 2018. The below list has been revised to be consistent with current project plans submitted to the Board of Appeals on February 5, 2019. These plans have been revised in response to comments received from Town Boards, Peer Review Engineer, and abutter comments. Below is a detail of the exceptions requested:

Non-Zoning Bylaws

Bolton Code §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 multiple duplex style structures.

Bolton Code §233 – Wetlands

§233-2 To waive the jurisdiction of the Bolton Wetland Bylaw to allow alterations within 25' of wetlands and to allow alterations within the adjacent upland resource area in accordance with the setbacks below to allow the construction of the project:

To allow Unit 1 to be located 26' from the edge of wetlands and the deck of Unit 1 to be located 22' from the edge of wetlands;

To allow Unit 2 to be located 15' from the edge of wetlands and the deck of Unit 2 to be located 7' from the edge of wetlands;

To allow Unit 3 to be located to be located 30' from the edge of wetlands and the deck of Unit 3 to be located 32' from the edge of wetlands;

To allow Unit 4 to be located 38' from the edge of wetlands & Unit 4 deck to be located to be located 34' from the edge of wetlands;

To allow Unit 5 to be located 31' from the edge of wetlands & Unit 5 deck to be located to be located 25' from the edge of wetlands;

To allow Unit 6 to be located 44' from the edge of wetlands & Unit 6 deck to be located to be located 40' from the edge of wetlands;

To allow Unit 7 to be located 65' from the edge of wetlands & Unit 7 deck to be located to be located 75' from the edge of wetlands;

To allow Unit 8 to be located 48' from the edge of wetlands & Unit 8 deck to be located to be located 53' from the edge of wetlands;

To allow the proposed well on Lot 2B to be located 41' from the edge of wetlands as allowed by the Town of Bolton Well Regulations;

To allow the proposed well on Lot 2C to be located 60' from the edge of wetlands as allowed by the Town of Bolton Well Regulations;

To allow the sewage disposal system (leaching area and tanks) on Lot 2B to be located 50' from the edge of wetlands as allowed by 310 CMR 15;

To allow the sewage disposal system (leaching area & tanks) on Lot 2C to be located 56' from the edge of wetlands as allowed by 310 CMR 15;

To allow the access driveway, retaining walls, utilities and stormwater infrastructure to be constructed within 25' of the edge of wetlands as depicted on the Comprehensive Permit plan;

To allow grading and clearing on Lot 2B to occur 2' from the edge of wetlands to allow construction of the sewage disposal system and dwelling units as depicted on the Comprehensive Permit Plans;

To allow grading and clearing on Lot 2C to occur 25' from the edge of wetlands to allow the construction of the sewage disposal system and dwelling units as depicted on the comprehensive permit plans;

To allow grading for compensatory flood storage to occur 12' from the edge of wetlands;

To allow 2,500 SF of field to be naturalized as scrub/shrub forested habitat in accordance with NHESP 12-3491;

§233-7 To waive the Bolton Wetlands Bylaw Regulations to allow only the definitions of the Wetlands Protection Act (310 CMR 10) to apply.

Bolton Board of Health – Requirements for the Subsurface Disposal of Sanitary Sewage

A waiver from Regulation 4 entitled “Distances” is requested. More specifically the following relief from Regulation 4 is requested:

To allow leaching facilities to be located 10’ from a property line as allowed by 310 CMR 15 (10’ proposed) as allowed by 310 CMR 15;

To allow leaching facility to be located within 35’ of access driveway (13’ provided, note: retaining wall is located between driveway and leaching facility) and to allow septic tanks and pump chambers to be located within unit driveways (tanks to be rated for H2O loading) as allowed by 310 CMR 15;

To allow Lot 2B leaching area to be located within 100’ of a bordering vegetated wetland (50’ provided) as allowed by 310 CMR 15;

To allow Lot 2c leaching area to be located within 100’ of a bordering vegetated wetland (75’ provided) as allowed by 310 CMR 15;

To allow leaching facilities servicing a separate building to be located within 30’ of each other (20’ provided) as allowed by 310 CMR 15;

Bolton Well Regulations

A waiver from section 4.1 entitled “Well Location Requirements” is requested. More specifically, the following relief from section 4.1 is requested, to allow Lot 2B well to be located within 150’ of a leaching facility in soils with percolation rates of two minutes per inch or less (120’ provided).

Zoning Bylaws

Bolton Code §250 - Zoning

§250-12 An exception is being requested, from section §250-12, as multiple structures as proposed in the Comprehensive Permit is a permit/use that is not specifically stated as being allowed in the By-laws.

§250-13 Dimensional Regulations: Minimum Other Yards – to allow an sideline setback (interior to the lots that are being created) of 6.0’ on Lot 2B and 12.8’ on Lot 2C.

§250-13 C. One Building Per Lot – An exception is being requested, from section §250-13© to allow for multiple principle structures on a lot.

§250-13 G. Lot Shape – An exception is being requested, from section §250-13(g) to allow lot 2B to have a shape factor of 0.4 where 0.5 is required.

§250-17 – Driveways and parking – An exception is requested to allow a shared driveway to access eight (8) dwellings on two (2) lots.

We trust this meets your needs at this time. We look forward to working with the Board to provide affordable housing opportunities consistent with local needs.

Very Truly Yours,

DUCHARME & DILLIS Civil Design Group, Inc.



Seth Donohoe, Project Manager

cc : Still River Road Development, LLC
Deschenes & Farrell, PC