

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

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Doc#	Document Type	Town	Book/Page	File Date	Consideration
35849	SEE DOC		09994/203	11/24/1986	
Property-Street Address and/or Description					
RTE 117 SEE REC					
Grantors					
BOLTON TOWN OF, FLATLEY THOMAS J, FLATLEY CO					
Grantees					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

TOWN OF BOLTON
LIMITED BUSINESS SPECIAL PERMIT
OCTOBER 25, 1986

The Board of Selectmen of the Town of Bolton hereby grant a special permit to Thomas J. Flatley doing business as the Flatley Company for a 100,000 square foot building as described in the plans referenced below.

The site plans for this project which constitute an integral part of this Special Permit consist of the following:

- a. A Plan entitled "Site Plan Review, Bolton Office Park, Bolton, Massachusetts," prepared for the Flatley Company by Briggs Associates, Inc. bearing Project No. 60479 consisting of Sheets 1-8, 8A, and 9-11. Matters relating to site drainage and grading are superseded by the IEP plan described on the following paragraph.
- b. A plan entitled "Bolton Office Park, Site Plan," Client: Flatley Company bearing Job Number Flat-2 consisting of Sheets 1 through 3 all dated August 1986.
- c. A plan entitled "Conceptual Site Access Plan, Corporate Campus, Bolton, Massachusetts," prepared for the Flatley Company by Vanasse/Hangen bearing Job Number 1476 consisting of one sheet dated 8/19/86.

The granting of the special permit is subject to the following conditions, requirements, or restrictions:

1. The Selectmen shall maintain control over hours of exterior lighting and the intensity of parking lot and building lighting. The exterior lighting shall not be ~~noticeable from~~ ^{LA} ~~now otherwise be considered~~ detrimental (in the reasonable judgment of the selectmen) to surrounding land. No spot or flood lights shall be mounted on the exterior of the building. Lighting plans shall be submitted to the Board of Selectmen for approval. In no event shall the intensity of the lighting be reduced below limits which are reasonable and appropriate for the safe use of the facilities for business invitees and licensees and other users of the premises.
2. No interior lighted commercial signs shall be permitted on the property except for signage required by the building code or incidental to vending machines. One freestanding sign with letters back lighted or externally lighted and meeting the Bolton bylaw requirements near the Route 117 entrance shall be permitted. One sign per tenant mounted on the building also shall be permitted. Parking and traffic control signs are permitted as appropriate. No on or off premises advertising signs shall be allowed. Sign design and

placement must meet Bolton by law requirements and must be submitted for approval by the Board of Selectmen.

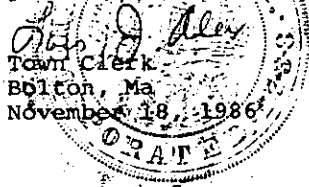
3. The owner shall provide a fifty foot green buffer abutting Route 117 at the town's option when the building has been completed. The provision shall include a deed restriction for the buffer zone prohibiting construction of above ground structures, whether or not the berm and/or conifer plantings are required by the town. The Selectmen shall make the buffer decision within one year from the date of building occupancy.
4. Any future building expansion on the site shall not be closer to Route 117 than the proposed building.
5. The owner of the proposed facility shall be required to provide a traffic control officer at landowner and/or tenant cost to direct traffic at rush hours for up to three hours per day, Monday through Friday, 52 weeks per year. The Selectmen, after consultation with the Chief of Police, will determine whether or not the traffic officer is needed and will determine the exact hours and location of traffic officer's duty. In deciding where the officer should be located, the Selectmen have the option of locating the officer at the proposed driveway, at the 495 ramps on Route 117, or at any other location within a distance of one (1) mile from the premises. The owner must replace any officer which the Selectmen believe is not performing adequately.
6. The owner is required to install appropriate turning lanes at the discretion of the Selectmen, in conformity with and as shown on a plan entitled "Conceptual Site Access Plan, Corporate Campus, Bolton, Massachusetts," prepared by Vanasse/Hangen, bearing Job Number 1476 and filed pursuant to the special permit process or in conformity with the recommendations derived from the corridor study. The Selectmen will request the construction within three years of occupancy of the building.
7. Aircraft (either fixed wing or rotor) are excluded from taking off or landing on the property except for emergency purposes. A new special permit from the Board of Selectmen would be required for any change to this paragraph.
8. Wetlands and detention/retention ponds shall be built, located, and maintained in accordance with the plans submitted and with the Conservation Commission's Order of Conditions.
9. Groundwater alteration and quality tests shall be performed and maintained in accordance with the Groundwater Alteration Permit from the Board of Health.

10. The construction of the buildings, parking lots, access roads, septic systems, and other site improvements must meet the requirements of all town permits and applicable regulation requirements
11. The owner shall provide access for the Bolton Fire Department to one of the retention ponds. The owner shall install a dry fire hydrant per the Bolton Fire Chief's specifications.
12. The owner shall make provision for a pressurized hydrant attached to the facility's sprinkler system for Bolton Fire Department use. Location of hydrant shall be by agreement between the Fire Chief and the owner.
13. A sprinkler system shall be installed in the proposed building for fire emergency purposes as required per the state building code.
14. No chemical deicing agents shall be used for treatment of the roadways and parking lots for the purposes of ice or snow abatement.
15. Any change in use from office space as proposed requires submission of a new special permit by the owner.
16. Interior building height shall be less than or equal to 35 feet as measured from ground floor of the basement surface to the finished ceiling surface of the highest floor. Storage areas above the highest floor are not permitted.
17. Onsite cafeteria facilities provided in the proposed building for tenants in conformity with the Board of Health Septic System Permit.
18. Ponds and wetlands created as a result of the project shall not be eliminated or moved without approval of a new special permit and conformance with any Conservation Commission wetlands conditions.
19. The businesses conducted by the tenants shall not create unreasonable noise nuisances to the neighbors.
20. The terms of an agreement between the Flatley Company and the Town of Bolton, which agreement is set out and attached hereto as Appendix A, shall be complied with.

Date: October 25, 1986

Bolton Board of Selectmen

This is to certify the 20 day appeal period has ended with no appeal filed.



Abby J. Allen
 Town Clerk
 Bolton, Ma
 November 18, 1986

Christy S. Slack
Benjamin F. Young
Kenneth J. McCreary

APPENDIX "A"

AGREEMENT

During the course of the review process of the application for the Special Permit by Thomas J. Flatley, the following terms have been negotiated and agreed upon by the Flatley Company and the Town of Bolton, in the interest of answering the concerns of the townspeople and the various Town boards and commissions, and mitigating potential detrimental impact on the area, at the least possible cost and inconvenience to the Flatley Company.

1. The owner and all future tenants shall grant access to and parking for the Bolton Fair. All access roads to the property and all parking lots on the property shall be available one weekend per year Friday evening through Sunday evening for the conduct of the Bolton Fair on surrounding town property. The owner and tenants will be notified of the exact dates of the Bolton Fair after those dates have been set.
2. The owner shall provide the Town of Bolton access to surrounding town land. To the east an emergency access from the parking lots or roadways will be provided with access to the crossing at the existing culvert. To the west, a permanent access from the driveway to the wooden town building and its surrounding land will be provided. All such access ways shall be as shown on the plan submitted in the special permit process and may be relocated at the discretion of the property owner.
3. The owner shall complete a study design for an appropriate traffic study for the town of Bolton. The owner shall also make a financial contribution to the Route 117 corridor traffic study of not less than half of the study's cost not covered by state or Federal funds, but in no event to exceed \$20,000.00. The Selectmen shall determine the type and scope of study and the start date of the study. The Selectmen shall issue a statement of compliance suitable for recording upon completion of the obligation imposed in this paragraph.
4. The owner of the facility will require the establishment of tenant programs in transportation systems management as approved by the Metropolitan Area Planning Council. The program's purpose shall be to minimize the auto traffic in and out of the facility during peak hours. The program should include as a minimum consideration of flexible working hours and carpool incentives.
5. The owner shall maintain a 60 feet wide corridor from of buildings along the entire east and west boundaries of the property in anticipation of a Bolton By-pass as may be determined by the Selectmen in the future. Owner agrees to

relocate site driveways as required to be harmonious with the proposed By-pass. This provision shall be deemed terminated when the Town of Bolton completes any takings required at the time the By-pass is constructed and in any event this provision shall be deemed excised from this special permit if and when the anticipated By-pass is located on property other than the subject premises. The Selectmen shall issue a Certificate suitable for recording attesting to the excise of this paragraph from the special permit when the terms of this paragraph warrant same.

6. The construction of the building and access roadways shall not restrict access to the existing pond. The owner shall designate a public access way not less than ten (10) feet in width from Route 117 to the presently existing pond for public access to the pond for fishing and other recreational uses. An area forty (40) feet in width from the edge of the presently existing pond shall be reserved for public fishing and recreational use and may be maintained and/or improved by the Town of Bolton. The owner shall have the right to relocate said public access way provided that the public access to the pond is not unreasonably impaired thereby.
7. No trash from the proposed facility shall be taken to the Bolton landfill.
8. It is the understanding of the Selectmen and the owner that any expansion is limited to an additional 100,000 square feet per agreement of the Town and the owner during the 1986 special permit process. A new special permit would be required for any such expansion.

Application for and issuance of a building permit under the Special Permit shall constitute confirmation and ratification of this Agreement by the parties, as herein memorialized. The terms of this Agreement shall inure to the benefit of and be binding upon not only the parties hereto, but also their estates, heirs, assigns, and successors in interest of every kind, as the case may be.

Recorded NOV 24 1986 at 12h.10 m. P. M.