

## TOWN OF BOLTON – ZONING BOARD OF APPEALS MINUTES

Remote Meeting held on November 8, 2021 at 7:00 p.m. via Zoom Communications, Inc.

Members Present: Gerard Ahearn (Chairman), Bryan Holmes, Andy Kischitz, Bradley Reed, Gabrielle Lomanno (Associate), Elisabeth Hutchins (Associate)

Also Present: Valerie Oorthuys (Town Planner)

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public meeting of the Town of Bolton Planning Board was conducted via remote participation. No in-person attendance of members of the public were permitted, but the public can access this meeting while in progress using Zoom Video Communications, Inc. (Zoom).

Directions to connect to the public meeting were provided on the agenda.

The Zoning Board of Appeals conducted a roll call of all members present including Gerard Ahearn (Chairman), Bryan Holmes, Andy Kischitz, Bradley Reed, Gabrielle Lomanno (Associate), and Elisabeth Hutchins (Associate).

## PUBLIC HEARING

**Comprehensive Permit, Alta Nashoba Valley, 580 Main Street**  
Multifamily Rental Development

### *Present:*

Jim Lambert, Wood Partners  
Jason Nieuweboer, Market Square Architects  
Phil Cordeiro, P.E., Allen & Major Associates, Inc.  
Bart Lipinski, RLA, Grady Consulting, LLC  
Dave Formato, P.E., Onsite Engineering, Inc.  
Deborah Horwitz, Goulston & Storrs  
Liz Oltman, The Engineering Corp.

Chair Gerard Ahearn opened the public meeting by reading the public hearing notice.

The Board discussed the need to appoint an Associate Member as a Voting Member for this application. Andy Kischitz moved to appoint Gabrielle Lomanno as a Voting Member for the Alta Nashoba Valley Comprehensive Permit. 2<sup>nd</sup> by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes (4/0/0).**

Jim Lambert provided an overview of the project, stating that the proposal includes the construction of 229 units of multifamily housing at 580 Main Street. Jim Lambert stated that conversations about this project began with the Town in 2020, with a Local Initiative Program Application submitted to the State's Department of Housing and Community Development (DHCD) by Wood Partners and the Town of Bolton in May 2021. DHCD

provided a Project Eligibility Letter (PEL) in August 2021. Jim Lambert provided examples of similar projects Wood Partners has constructed in Massachusetts.

Jim Lambert described the location of the proposed development. The proposal includes demolition of part of the existing office structure and the subdivision of the parcel to separate housing from the office building. Access to Bolton Country Manor would remain the same.

Jim Lambert stated the proposal includes construction of 4 apartment buildings, an amenity building, a mail building, and private garages. After discussion with the Bolton Fire Department, all buildings will be 2 stories or fewer. Building 1 will include an elevator. All buildings will be sprinklered.

Brad Reed asked about the standard of the proposed sprinkler system and questioned the ability of Bolton's ladder truck to service the proposed building.

Jim Lambert stated the site will have on-site water treatment, a public water supply to service the development, and, due to the lack of natural gas at the site, the units will have all electric heating, cooling, and cooking.

Jim Lambert said 25% of the units will be reserved for qualified affordable purchasers, though all 229 units would be eligible for inclusion on the Town's Subsidized Housing Inventory. The units will be a mix of 1, 2, and 3 bedrooms. The project proposes 354 surface parking spaces and 28 garage parking spaces for a parking ratio of 1.67, which Jim Lambert stated is more than sufficient.

Bryan Holmes asked what percentage of affordable housing the Town may achieve were this project to move forward as proposed. Valerie Oorthuys said a precise number is difficult to ascertain as the 2020 census figures have not come out yet, though using the current figures, the percentage could approach 17%, however this would decrease with 2020 census figures.

Jim Lambert reviewed the proposed site plan. A portion of the existing parking in the southeast corner of the parcel would be removed due to the protective radius for the public water supply.

Gerard Ahearn asked about the dog park in the southwestern corner of the parcel, stating that a playground or other park area may be able to meet more of the residents' needs.

Jim Lambert said there have been many conversations with staff regarding access to the community gardens at the field, as the way residents have been accessing those areas is not allowed, whether this project moves forward or not. Jim Lambert said vehicles are not allowed to drive over the protective radius of public water supplies, and existing protective well radii from 580 Main, 626 Main, and other properties disallow access from the schools and from 580 Main. Jim Lambert said the development team would like to work with the Town to find alternative access points.

Phil Cordeiro, of Allen & Major Associates, provided an engineering review of the site. Site challenges include retaining accessibility for the portion of the office building that will remain, retaining accessibility to Bolton Country Manor, and wetlands resource areas and brooks. Phil Cordeiro said the project has been discussed with public safety to ensure access to all sides of the proposed and existing buildings. Three Zone 1 wells are

included, as required by Title 5 standards. Two structures, one for water treatment and distribution, and the other to provide a water source for the sprinkler system, will be located toward the west of the parcel near the current access area for the community gardens. Site plans include underground routing for electric utilities and underground stormwater retention for recharge. The plans will be in accordance with MS4 permitting and the National Pollutant Discharge Elimination System (NPDES) standards.

Gerard Ahearn asked if the project would include a solar component to provide electricity to the development. Jim Lambert said they have committed to using solar arrays on the two larger buildings. The applicant will hire a consultant to better understand the sizing of a potential solar array.

Phil Cordeiro discussed accessibility to the community garden through existing cart paths. An existing well is located by the entrance of the gardens, meaning that vehicular traffic would need to be routed around the well radii for continued access.

Dave Formato, Onsite Engineering, Inc, provided an overview of some of the utilities on site, including the wastewater treatment facility and public water systems. Dave Formato said their review of existing water supplies focused on a half-mile radius around the site, in order to better understand the impacts of this project on local systems. The site currently has two wells, a pump house, and a storage tank, all permitted through MassDEP. The existing wells include protective radii. One of the existing wells will be decommissioned and a new Zone 1 well will be installed. The State would provide approval of these wells and wastewater.

Liz Oltman, The Engineering Corp, shared results of their traffic impact study. Three intersections were reviewed, including the entrance to 580 Main at Rt. 117, and the two intersections providing access to Interstate 495. Traffic counts were held in June 2021 when school was in session, and adjusted for covid impacts. Included in this analysis were estimated vehicles coming from the proposed development in addition to 50,000 sqft of office space. The analysis shows the intersections with I-495 continuing to operate with the existing level of service, though there are delays at 580 Main within the driveway headed toward Rt. 117. These delays remain onsite and are not atypical of an unsignalized intersection with a main roadway. TEC recommends the driveway to be striped to provide clear turn lanes to better accommodate on-site traffic. The study estimated that during peak hours, coming from within the site, 25% of vehicles would take a left turn and 75% of vehicles would make a right turn towards I-495.

Gerard Ahearn noted that the traffic impact assessment should consider seasonal traffic as well, as apple season draws many tourists to the area.

Brad Reed asked if the traffic study reviewed whether a light would be warranted at the intersection with Rt.117. Liz Oltman said this was reviewed, though the numbers did not reach the threshold to warrant a traffic signal.

Gerard Ahearn asked about walking paths toward the elementary schools in order to alleviate traffic at peak hours. Jim Lambert said the plans include walkways throughout the site in addition to a new sidewalk proposed along the driveway to service the office park, apartment complex, and Bolton Country Manor. Jim Lambert said they intend to include sidewalk connections along Rt. 117 to connect to the existing sidewalk to the west of the site and the sidewalk to the east of the site at the Clinton Savings Bank.

Bryan Holmes asked if there would be a bus stop located on site. Jim Lambert said there is the opportunity for a school bus site by the mail building. Jim Lambert said the Superintendent indicated there is not enough known about the number of school children at the site to know if a school bus stop is warranted.

Brad Reed noted that a narrative on local impacts is part of the ZBA's application requirements and asked whether the applicant could provide detail on potential impacts to the Town. Jim Lambert said that a waiver was requested on that item. Deborah Horwitz, Esq., Goulston & Storrs, stated that the State's process for Comprehensive Permits, indicates that financial impacts should not be part of the Board's analysis of the project. Brad Reed said he is interested to know the number of school aged children predicted to live at the development.

Andy Kischitz said he is skeptical of the traffic analysis, as he believes there will be significant impacts on traffic along Route 117, particularly as parents would need to make a left hand turn onto Route 117 to pick up and drop off children at school. Lis Hutchins asked about the hours of the morning and evening peak hours, noting that 3pm should be included in order to capture school traffic

Bart Lipinski, RLA, Grady Consulting, LLC, provided an overview of the landscaping plan. The plans include removing pavement that is located within the proposed Zone 1 well radius and naturalizing the area with native shrubs and trees. Lis Hutchins asked if there is a planned irrigation system. Jim Lambert said they typically do include irrigation around high trafficked areas though these plans have not been solidified.

Jason Nieuweboer, Market Square Architects, provided an overview of the architectural design of the proposed buildings. Jason Nieuweboer stated the development has been designed to fit in with local architecture and they reviewed local buildings for inspiration such as Bolton Spring Farm, Bolton Bean, and Bolton Global Capital. Renderings presented to the board include the clubhouse, residential buildings

Gerard Ahearn asked if plans include space for electric vehicle charging. Jim Lambert agreed that demand for electric vehicle charging is strong and these will be part of the development. There will be a limited number available at opening, and during construction conduit will be laid in order to accommodate future demand.

Bryan Holmes asked if the development has been in front of the Design Review Board. Jim Lambert said it had not. Gerard Ahearn noted that the ZBA would have to formally request their review.

Brad Reed asked if the Conservation Commission had been involved yet. Gerard Ahearn noted the packets include comments from the Conservation Agent.

Jim Lambert reviewed green and energy efficient building design, some of which will be added to the plans, including:

- Design and construction in accordance with the energy stretch code;
- Electric utilities rather than natural gas;
- water pumping fixtures will be low flow;
- lighting fixtures will be LED;
- appliances (when possible) will be energy star rated;
- windows will be efficient with an appropriate U-value;

- Inclusion of electric vehicle charging stations;
- Bicycle storage;
- Solar arrays on buildings 1 and 2.

Jim Lambert described community benefits of the project, including tax revenue, rental housing, proximity to local businesses, temporary construction jobs, and achieving temporary safe harbor from future comprehensive permits for a period of time.

Brad Reed asked whether the applicant considered age restricting some units. Jim Lambert said this could be considered, though it would not be typical of this type of development.

The ZBA discussed the need to review scopes of work from engineering peer review firms.

Bradley Reed motioned to hold a site walk on December 1, 2021 at 8:00 am. 2<sup>nd</sup> by Bryan Holmes. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bryan Holmes- Yes, Bradley Reed – Yes, Gabrielle Lomanno (Associate)-Yes (5/0/0).**

Bradley Reed motioned to continue the public hearing to November 30, 2021 at 6:45pm. 2<sup>nd</sup> by Andy Kischitz. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bryan Holmes- Yes, Bradley Reed – Yes, Gabrielle Lomanno (Associate)-Yes (5/0/0).**

## **ADMINISTRATION**

### **Approval of Meeting Minutes**

Bryan Holmes moved to accept the minutes of September 7, 2021 as written. Second by Brad Reed. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes (4/0/0).**

Bryan Holmes moved to accept the minutes of October 19, 2021 as amended. Second by Brad Reed. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes-Yes (4/0/0).**

Bradley Reed motioned to adjourn the meeting at 9:15 p.m. 2<sup>nd</sup> by Andy Kischitz. **All in favor by roll call: Gerard Ahearn – Yes, Andy Kischitz – Yes, Bradley Reed – Yes, Bryan Holmes – Yes, Gabrielle Lomanno (Associate) – Yes, Elisabeth Hutchins (Associate)-Yes (6/0/0).**

Respectfully Submitted,  
Valerie Oorthuys