

# **APPLICATION FOR SPECIAL PERMIT**

**FOR**

**WACHUSETT REALTY, LLC  
562 MAIN STREET  
BOLTON, MA**

***AUGUST, 2014***

**PROJECT # 29227**

**APPLICANT: WACHUSETT REALTY, LLC  
200 CHURCH STREET  
CLINTON, MA 01510**

**ENGINEER: DAVID E. ROSS ASSOCIATES, INC.  
111 FITCHBURG ROAD  
P. O. BOX 368  
AYER, MA 01432**

From: Ch. 40A S 9 "Each application for a special permit shall be filed by the petitioner with the city or town clerk and a copy of said application, including the date and time of filing certified by the city or town clerk, shall be filed forthwith by the petitioner with the special permit granting authority.

**LIMITED BUSINESS DISTRICT / BUSINESS DISTRICT  
Application Form for Special Permit**

Bolton, Mass \_\_\_\_\_ 20\_\_\_\_\_  
(Date of Filing)

Name of Applicant Wachusett Realty, LLC

Address 200 Church Street, Clinton, MA 01510

Name of Registered Engineer or Surveyor David E. Ross Associates, Inc.

Address 111 Fitchburg Road, P.O. Box 368, Ayer, MA 01432

Deed or property Recorded in: Book No. 5114 page 579 of  
the Worcester Registry of Deeds.

Location and Description of Property (include zoning district(s)); Limited Business

562 Main Street, Bolton, MA 01740

Lot Frontage: 129.2 feet Lot Area: 37,026 Square Feet

Proposed Land Use(s) Requiring a Special Permit Branch Bank

*Please Include all materials listed in the Rules and Regulations for Limited Business Districts and Business Districts (see attached checklist) if required by the Board. Failure to include all required materials could delay processing of the application.*

Signature of Owner or Agent 

c/o Clinton Savings Bank  
Address 200 Church St. Clinton, MA 01510

Phone Number 978-365-3405

Date Received \_\_\_\_\_

By \_\_\_\_\_

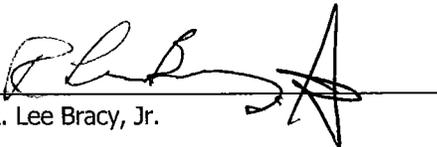
Fee Paid \_\_\_\_\_

August 14, 2014

Bolton Planning Board  
Town Hall  
662 Main Street  
Bolton, MA 01740

Dear Members:

As owner of the property located at 562 Main Street, Bolton, Massachusetts, I hereby authorize Wachusett Realty, LLC to apply for a Special Permit to operate a branch Bank at 562 Main Street, Bolton, Massachusetts.

  
R. Lee Bracy, Jr.

**PLANNING BOARD  
TOWN of BOLTON**

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**In re: Application Special Permit for 562 MAIN ST, BOLTON, MA**

**Applicant: Wachusett Realty LLC**

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**Application and Supporting Memo**

*To the Honorable Bolton Planning Board:*

The Applicant/Petitioner, Wachusett Realty LLC is a Massachusetts limited liability company and parent of Clinton Savings Bank a Massachusetts savings bank with a principal office at 200 Church St. Clinton, MA. The Applicant hereby submits this memo in support of its application for a special permit pursuant to The Bolton Zoning Bylaw sections 2.3.4 and 2.5.5.5 to allow a subsidiary of the Applicant, Clinton Savings Bank to conduct a branch banking facility on the Premises at 562 Main St. Bolton, MA, (The Premises). The current owner of the Premises is R. Lee Bracey, Jr. via a deed recorded at Worcester District Deeds Book 5114 Page 579 (Exhibit A)

**HISTORY AND BACKGROUND AND OTHER PERMITTING**

The Premises consist of a single family residence approximately 90 years old and is situated upon .85 acres of land parcel on the southerly side of Main Street, (the Great Road) in Bolton. The current owner has resided on the Premises for in excess of forty years. The Premises are located in a limited business district. The Applicant has received a special permit from the Board of Appeals (ZBA) to allow for alteration of a nonconforming structure. (Exhibit B). The ZBA has also granted variances for relief from a number of dimensional provisions of the bylaw (Exhibit C). The Design Review Board (DRB) has issued a letter of approval for the proposed site and structure (Exhibit D). The Board of Health has granted a variance and issue a sewage disposal construction permit (Exhibit E). The Conservation Commission has issued a determination of non-applicability (Exhibit F). The Historical Commission made a determination that residence had some historical significance (Exhibit G) and imposed its six months delay in demolition. The Applicant has determined that it is unable to make use of the building for its intended use.

**NATURE AND PURPOSE OF THE APPLICATION**

The Applicant seeks to build a new structure to contain a branch bank facility with a drive-through window and automated teller machine. This application is made pursuant to the provisions of section 2.3.4 of the Bolton zoning bylaw under which the contemplated use is allowed upon the issuance of a special permit by the Planning Board acting as the permit granting authority.

Section 2.5.5.5 of the bylaw sets out the factors to be considered by the Board when considering any such special permit application.

The facility will contain about 2609 square feet including the building and drive through window and ATM machine areas.

### **DEVELOPMENT IMPACT**

There should be no detrimental impact to the town of Bolton.

At the Applicant's request, Dermot J. Kelly Associates, Inc., conducted a traffic study and prepared a document dated July 24, 2014 entitled "Traffic Impact and Access Study" and is attached as Exhibit F. Essentially the report says that the level of traffic attributable to the bank relocation should not increase. Further, the Applicant's plan calls for one way entrance and exit areas. The report notes adequate site distance of 360 feet for a 45 MPH speed.

There should not be any burden or impact upon municipal departments as a result of the relocation of the Bank from the north side to the south side of Main St. The Applicant will be removing its rubbish daily. It will be providing its own snow removal. There should be no need for any increase in police, fire or EMT services other than what presently exists for the current branch location. There will be a new septic system which will be less burdensome than a single family residence.

### **PLANS**

Included as part of this Application for special permit are the plans listed on Exhibit H. Each plan has been prepared in accordance with the Planning Board's checklist of required materials. The Applicant's engineer and architect will address each of such plans at the special permit public hearing.

### **SUGGESTED FINDINGS TO MEET CRITERIA FOR SPECIAL PERMIT AS REQUIRED UNDER SECTION 2.5.5.5 OF THE ZONING BYLAW**

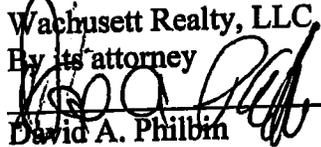
1. The neighborhood is zoned limited business;
2. The proposed use as a retail banking is a use permitted within the limited business district upon issuance of a special permit by this Board.
3. The Applicant's site plan provides separate ingress and egress ways which will allow for safe vehicle access to and from Main Street.
4. The Premises will have easy and safe pedestrian access.

5. The proposed use combined with the approval of the DRB indicates adequate provision is in place or has been made to eliminate undesirable visual, noise, odors, or similar impacts on adjoining properties.
6. The proposed use will not result in any on site and off site litter and or debris.
7. The Applicant's proposed use of water will be minimal.
8. All trash will be removed daily.
9. The proposed use will result in no exhaust fumes or emissions from the Premises other than normal automobile traffic emissions.
10. The Applicant will be installing a new septic system in compliance with Title V.
11. The project is in harmony with the neighborhood and environment as is reflected by the DRB approval process.
12. The proposed use will be in harmony with the general intent and purpose of the Zoning Bylaw and not detrimental to the neighborhood.
  - a. The proposed use is precisely what is called for in the zoning district. It is a clean operation with no offsite improvements required.
  - b. The building is tastefully designed to be consistent with the historical nature of Main St.
  - c. Applicant's plans have been thoroughly reviewed by the DRB and which Board gave an unconditional approval that said plans met all of the criteria set out in the zoning bylaw for the Design Review Board Process.

In light of the above, Applicant respectfully requests that the Board grant it:

1. A Special Permit under the Bolton Zoning Bylaw Section 2.3.4 and Section 2.5.5.5 for a limited business use to allow the Applicant to conduct a branch banking facility on the Premises at 562 Main St Bolton, MA.
2. Such other relief as the Board may deem proper and appropriate.

Wachusett Realty, LLC  
By its attorney

  
\_\_\_\_\_  
David A. Philbin

Philbin & O'Neil, LLC  
43 High Street  
Clinton, MA 01510, tel 978-365-4587

**Town of Bolton  
Planning Board  
Legal Notice of Public Hearing**

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, notice is hereby given that the Bolton Planning Board will hold a public hearing on \_\_\_\_\_, 2014 at 7:00 PM in the Board of Selectmen Room of the Town Hall, 663 Main Street, Bolton, MA to hear and act upon the application of Wachusett Realty, LLC (parent company of Clinton Savings Bank), 200 Church Street, Clinton, MA 01510. The Applicant is seeking a Special Permit pursuant to section 2.3.4 of the Bolton Zoning Bylaw to conduct a branch banking business on property within the Limited Business Zoning District located at 562 Main Street and identified on Assessor's Map 4C as Parcel 35.

The application and plans are available for review at the Town Clerk's Office in the Town Hall, Monday, Wednesday, Thursday, 9 AM – 2:30 PM; Tuesday, 9AM to 4 PM and Tuesday evening 6 PM to 8 PM.

Any person interested or wishing to be heard on the proposed plan, should appear at the time and place designated.

Bolton Planning Board:

By:

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Jonathan Keep, Chairman

THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, WATERMARK AND A THERMOCHROMIC ICON; ABSENCE OF THESE FEATURES WILL INDICATE A COPY

CLINTON SAVINGS BANK  
CLINTON, MASSACHUSETTS

WACHUSETT REALTY LLC  
306 WEST BOYLSTON ST.  
WEST BOYLSTON, MA 01583

53-7311  
2113  
800505323

000081

\*\*Five Hundred Forty and NO/100 Dollars\*\*

August 21, 2014

\*\*\*\*\*540.00



PAY  
TO THE  
ORDER  
OF

TOWN OF BOLTON  
TOWN HALL  
663 MAIN STREET  
BOLTON MA 01740

⑈00008⑈ ⑆211373115⑆800 50532 3⑈

*David S. [Signature]*  
AUTHORIZED SIGNATURE

MP

Wachusett Realty, LLC  
Application for Special Permit  
562 Main Street  
Bolton, MA

EXHIBIT LIST

- Exhibit A Property Deed
- Exhibit B Special Permit Findings and Decision from Bolton ZBA
- Exhibit C Variance Findings and Decision from Bolton ZBA
- Exhibit D Bolton Design Review Board Report
- Exhibit E Septic Variance Approval and SDS Permit from Bolton Board of Health
- Exhibit F Determination of Applicability from Bolton Conservation Commission
- Exhibit G Determination from Bolton Historical Commission
- Exhibit H Plan Summary
- Exhibit I Development Impact Statement

EXHIBIT A

I, Howard F. Atwood

of Bolton, Worcester County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of twenty-three thousand and four hundred dollars (\$23,400.00) grants to R. Lee Bracy Jr. and Walthea M. Bracy, husband and wife, to hold as tenants by the entirety, both of 83 Pleasant Street, of Marlborough, Middlesex County, Massachusetts, with quitclaim covenants

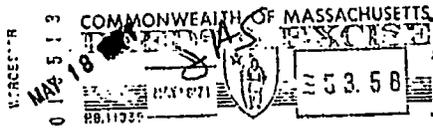
the land in said Bolton on the southerly side of the County Road leading from Bolton center to Boston bounded and described as follows, viz:  
~~Part of the lot formerly owned by~~

Beginning at an iron post at the northeasterly corner of the lot at said County Road at land now or formerly of one John W. Atwood; thence running by said road westerly 129 3/10ths feet to an iron post at land now or formerly of one Paul R. Holman; thence running south by said Holman land three hundred (300) feet more or less to an iron post at other land now or formerly of said Holman; thence running easterly by land of said Holman one hundred twenty-nine (129) feet to an iron post at the southwest corner of said land now or formerly of said John W. Atwood; thence running northerly by said land now or formerly of said John W. Atwood three hundred two (302) feet more or less to the bound first mentioned. Containing one hundred forty-three (143) rods more or less.

The above described parcel is shown as Lot C on "Partial copy of plan of land owned by Howard Atwood situated in Bolton, Massachusetts, dated November 1917 by Welsh & Parker C.E. which is recorded with Worcester District Deeds Plan Book 97, Plan 5."

Saving and excepting so much thereof as was taken for the relocation of said road.

Being the same premises described in a deed by Ruth I. Atwood administratrix of the estate of Robert F. Atwood by her deed dated September 20th, 1963 and recorded with Worcester District Registry of Deeds Book 4405, Page 199.



~~husband of said grantor.~~  
~~quit~~

~~to have and to hold unto the said grantee, his heirs and assigns forever.~~

Witness my hand and seal this 17th day of May 1971.

*Howard F. Atwood*

The Commonwealth of Massachusetts

Worcester

ss.

May 17,

1971

5114

579

B. 14265  
P. 222

Rec of tax  
Jun

B 19327

P 394

5114

580

Then personally appeared the above named **Howard F. Atwood**

and acknowledged the foregoing instrument to be his free act and deed, before me

*Henry W. Pickford*  
Henry W. Pickford Notary Public  
My Commission Expires AUGUST 21, 1975

Recorded May 18, 1971 at 1h. 20m. P. M.

■ END OF INSTRUMENT ■

REAL ESTATE MORTGAGE

*Discharge  
B13144  
P. 293*

We, R. Lee Bracy, Jr. and Walthea M. Bracy, husband and wife,  
as tenants by the entirety, both of

of Marlborough, Middlesex County, Massachusetts

~~being~~ for consideration paid, grant to

HUDSON SAVINGS BANK,

a banking corporation duly organized under the laws of the Commonwealth of Massachusetts and having an usual place of business in Hudson, Middlesex County, Massachusetts, (hereinafter with its successors and assigns referred to as Mortgagee);

with MORTGAGE COVENANTS to secure the payment of -----

-----NINETEEN THOUSAND, NINE HUNDRED and 00/100 (19,900.00) ----- Dollars with interest thereon payable in monthly installments, as provided in note of even date, and the observance and performance of all the covenants and agreements of this mortgage and of said note;

the land with all the buildings and structures now or hereafter standing or placed thereon, situated in Bolton, Worcester County, Massachusetts on the southerly side of the County Road leading from Bolton center to Boston bounded and described as follows, viz;

Beginning at an iron post at the northeasterly corner of the lot at said County Road at land now or formerly of one John W. Atwood; thence running by said road westerly 129 3/10ths feet to an iron post at land now or formerly of one Paul R. Holman; thence running south by said Holman land three hundred (300) feet more or less to an iron post at other land now or formerly of said Holman; thence running easterly by land of said Holman one hundred twenty-nine (129) feet to an iron post at the southwest corner of said land now or formerly of said John W. Atwood; thence running northerly by said land now or formerly of said John W. Atwood three hundred two (302) feet more or less to the bound first mentioned. Containing one hundred forty-three (143) rods more or less.

The above described parcel is shown as Lot C on "Partial copy of plan of land owned by Howard Atwood situated in Bolton, Massachusetts, dated November 1917 by Welsh & Parker C.E. which is recorded with Worcester District Deeds Plan Book 97, Plan 5."

Saving and excepting so much thereof as was taken for the relocation of said road.

For title see deed of Howard F. Atwood to us to be recorded herewith.

**EXHIBIT B**



## TOWN OF BOLTON

### ZONING BOARD OF APPEALS

Town Hall, 663 Main Street, Bolton, MA 01740  
Phone: 978-779-3308 Fax: 978-779-5461

#### SPECIAL PERMIT FINDINGS AND DECISION

Petitioner: Wachusett Realty, LLC  
200 Church Street  
Clinton, MA 01510

Premises: 562 Main Street, Bolton, MA 01740  
Bolton Assessor's Map 4.C Parcel 35

Owner: R. Lee Bracy, Jr.  
P.O. Box 189  
Bolton, MA 01740

Deed Reference: Worcester District Registry of Deeds, Book 5114 Page 579

Date Petition filed with Town Clerk of Bolton, MA: June 2, 2014

Type of Application: Special Permit

Applicable Zoning Bylaw of the Code of the Town of Bolton, MA: Section 250-3.C

Hearing Date: July 28, 2014

Members Present: Chairman, Gerard Ahearn, Matthew Hurd, Andy Kischitz, Bradley Reed  
Kay Stoner, Associate, Bryan Holmes, Associate, Jack Sargent.

Decision: On July 28, 2014 at 7 p.m., the Board of Appeals voted unanimously to approve the petition seeking Special Permit.

#### PROCEDURAL HISTORY

1. On June 2, 2014 Wachusett Realty, LLC (hereinafter, the Applicant ), applied to the Zoning Board of Appeals (ZBA) for a Special Permit to alter and extend a nonconforming structure for the Premises located at 562 Main Street, Bolton, MA 01740 pursuant to Section 250-3.C of the Code of the Town of Bolton. The Premises is identified on the Bolton Assessor's Map 4.C as Parcel 35 located in the Limited Business Zoning District.
2. The Applicant seeks to alter the structure by replacing it with a proposed structure shown

on plans presented at the hearing. The proposed structure would be used as a branch Bank for the Applicant's subsidiary, Clinton Savings Bank. The existing and proposed structures are both nonconforming.

3. A duly posted public hearing was held on July 28, 2014 at 7 p.m. at the Bolton Town Hall. Chairman Gerard Ahearn read the Notice of Public Hearing of the request for a Special Permit pursuant to Section 250-7.D of the Code of the Town of Bolton. The hearing was held simultaneously with one concerning an application for a series of Variances for the same Premises. The Board closed the hearing the same evening.

### **RECORD DOCUMENTS**

During the course of the public hearing the documents, plans, and other written materials set forth in Appendix A were received by the Board and incorporated into the record.

### **CRITERIA FOR SPECIAL PERMIT**

The criteria for the grant of a Special Permit to alter a nonconforming structure pursuant to Section 250-3.C of the Code of the Town of Bolton is that the alteration should not be substantially more detrimental to the neighborhood than the existing nonconforming structures or uses. Section 250-3.C of the Code, provides that generally any increase of no more than 100 percent of the floor area for a structure existing prior to April of 1972 or 50 % of the ground area in use shall be considered as not substantially more detrimental to the neighborhood than the prior nonconforming structure.

### **FINDINGS**

Based upon the information submitted at the public hearing, including the record documents and comment received from the public, the Board makes the following specific findings with regard to the proposed alteration and use:

1. The Premises is located at 562 Main Street, Bolton, MA 01740, identified on Bolton Assessor's Map 4.C as Parcel 35, and is owned by R. Lee Bracy, Jr., P.O. Box 189, Bolton, MA 01740. The Premises is located in the Limited Business Zoning District.
2. The existing residential structure has existed as nonconforming structure for many years and prior to the adoption of zoning.
3. The properties adjacent to and across the street from the Premises are currently used for business use.
4. The proposed structure on the Premises will be nonconforming because the front yard setback will remain 43 feet and the easterly side yard setback will remain 35 feet. The front yard setback requirement is 150 feet and the side yard setback requirement is 50 feet. The front yard and side yard setbacks for the proposed structure are the same as for the existing structure.

5. Use of the Premises for a branch Bank will be consistent with that of the abutting properties.
6. The existing structures have a total of 2,849 square feet of floor space. The proposed structure building including the drive in and ATM canopy area will contain 2,609 square feet. The proposed structure thus meets the criteria for Special Permit noted above.
7. Since the proposed 2,609 square feet of space for the new structure will be less than the existing floor space of the current structure, the proposed structure will not be substantially more detrimental to the neighborhood than the existing nonconforming structure;
8. The proposed improvements to the Premises will have no known negative impact on the environment.
9. Applicant currently operates a branch Bank directly across the Street from 562 Main Street and currently has a drive up window and ATM at the existing facility.
10. The proposed improvements will be aesthetically pleasing from Main Street.
11. The proposed improvements to the property will have no negative fiscal impact but should instead result in an increase in tax revenue for the Town.

### **DECISION**

Pursuant to M.G.L. c. 40A, Section 9 and Section 250-6 of the Code of the Town of Bolton, the Board, after public hearing and findings of fact, hereby unanimously votes to grant the Applicant's request for a Special Permit as follows:

A Special Permit to allow the Applicant to alter, renovate, and extend the nonconforming structure located on the Premises at 562 Main St Bolton, MA to include a new building with drive up window and supporting facilities containing no more than 2,609 square feet consistent with the plans on file with the Board as part of the Application and in compliance with any Variances granted by this Board as applicable to the Premises at 562 Main St. Bolton.

### **RECORD OF VOTE**

The following members of the Zoning Board unanimously voted to grant the subject to the above-stated terms: Chairman, Gerard Ahearn, Matthew Hurd, Andy Kischitz, Bradley Reed, Kay Stoner.



Gerard Ahearn, Chairman  
(On behalf of the Zoning Board of Appeals)

**FILED WITH THE TOWN CLERK**

Filed with the Town Clerk on August 7, 2014.

Pamela H. Powell

Pamela Powell, Town Clerk

2014 AUG - 7 PM 12:40

**CERTIFICATE OF NO APPEAL**

The undersigned, being the Town Clerk of the Town of Bolton, certifies that the 20-day appeal period on this decision has passed and there have been no appeals made to this office.

Date: \_\_\_\_\_, 2014.

\_\_\_\_\_  
Pamela Powell, Town Clerk

Copy of Special Permit Findings and Decision mailed to:

Abutters

Surrounding Towns

Bolton Boards and Committees

Applicant

## APPENDIX A RECORD DOCUMENTS

### Original Application Documents

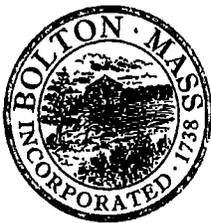
1. Application to ZBA;
2. Certified Abutters List from Bolton's Assessor's Office;
3. Brief to the Board stating the Applicant's request for relief from the provision of Section 250-3.C of the Code of the Town of Bolton;
4. Premises Deed Copy; and
5. Photographs of the existing Premises.

### July 28, 2014 Hearing Documents

1. Letter/ Decision from Bolton Board of Health dated July 16, 2014 with attached Sewage Disposal Works Construction Permit from the Nashoba Associated Boards of Health issued July 8, 2014 for the Premises;
2. Determination of Non Applicability by Bolton Conservation Commission dated July 21, 2014 for the Premises;
3. Letter/ Decision from Bolton Design Review Board dated July 28, 2014 for the Premises;
4. Traffic Impact and Access Study prepared by Dermot J. Kelly Associates, Inc.;
5. "Existing Conditions Plan" prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of June 2, 2014, Scale: 1"=20';
6. "Site Layout Plan" prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of June 2, 2014, Scale: 1"=20';
7. "Site Grading & Utility Plan" prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of June 2, 2014, Scale: 1"=20';
8. "Proposed Landscape Plan", Sheet DR.L, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 1"=20';
9. "Proposed Floor Plan", Sheet DR.1, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 1/8"=1'-0";
10. "Proposed Front and Right Side Elevations", Sheet DR.2, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 3/16"=1'-0";
11. "Proposed Rear and Left Side Elevations", Sheet DR.3, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 3/16"=1'-0";

12. "Proposed Site Elevations", Sheet DR.4, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 3/32"=1'-0";
13. "Proposed Fence Details and Sign Proportions", Sheet DR.5, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014; and
14. "Proposed Lighting Specifications", Sheet DR.6, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014.

**EXHIBIT C**



## TOWN OF BOLTON

### ZONING BOARD OF APPEALS

Town Hall, 663 Main Street, Bolton, MA 01740  
Phone: 978-779-3308 Fax: 978-779-5461

#### VARIANCE FINDINGS AND DECISION

Petitioner: Wachusett Realty, LLC  
200 Church Street  
Clinton, MA 01510

Premises: 562 Main Street, Bolton, MA 01740  
Bolton Assessor's Map 4.C Parcel 35

Owner: R. Lee Bracy, Jr.  
P.O. Box 189  
Bolton, MA 01740

Deed Reference: Worcester District Registry of Deeds, Book 5114 Page 579

Date Petition filed with Town Clerk of Bolton, MA: June 2, 2014

Type of Application: Variances

Applicable Zoning Bylaw of the Code of the Town of Bolton, MA: Section 250-13.B

Hearing Date: July 28, 2014

Members Present: Chairman, Gerard Ahearn, Matthew Hurd, Andy Kischitz, Bradley Reed  
Kay Stoner, Associate, Bryan Holmes, Associate, Jack Sargent.

Decision: On July 28, 2014 at 7 p.m., the Board of Appeals voted unanimously to approve the Variance requests seeking relief from lot size, lot frontage, lot width for 100 feet back from street line, front yard setback, and side yard setback.

#### PROCEDURAL HISTORY

1. On June 2, 2014 Wachusett Realty LLC (hereinafter, the Applicant), applied to the Zoning Board of Appeals (ZBA) for Variances for the Premises located at 562 Main Street, Bolton, MA from dimensional zoning requirements as set forth in Section 250-13.B of the Code of the Town of Bolton. The Premises is identified on the Bolton Assessor's Map 4.C as Parcel 35 located in the Limited Business Zoning District.

The Applicant sought relief for lot size, lot frontage, lot width for 100 feet back from street line, Front yard setback and side yard setback as follows:

	<b>Current</b>	<b>Required</b>
<b>A. Lot Size</b>	<b>.85 acres</b>	<b>1.5 acres</b>
<b>B. Lot Frontage</b>	<b>129.42</b>	<b>200 feet</b>
<b>C. Lot width @100 feet</b>	<b>129.03</b>	<b>150 feet</b>
<b>D. Front Yard Setback</b>	<b>43</b>	<b>150 feet</b>
<b>E. Side Yard Setback</b>	<b>35</b>	<b>50</b>

2. The Applicant intends to alter/erect a structure to be used as a branch Bank for the Applicant's subsidiary, Clinton Savings Bank.
3. A duly posted public hearing was held on July 28, 2014 at 7 p.m. at the Bolton Town Hall. Chairman Gerard Ahearn read the Notice of Public Hearing for the request for Variances pursuant to Section 250-13.B of the Code of the Town of Bolton. The hearing was held simultaneous with a request for a Special Permit affecting the same property. The Board closed the hearing the same evening.

### **RECORD DOCUMENTS**

During the course of the public hearing the documents, plans, and other written materials set forth in Appendix A were received by the Board and incorporated into the record.

### **FINDINGS**

1. The Premises is located at 562 Main Street, Bolton, MA 01740, identified on Bolton Assessor's Map 4.C as Parcel 35, and is owned by R. Lee Bracy, Jr., P.O. Box 189, Bolton, MA 01740. The Premises is located in the Limited Business Zoning District.
2. Based upon the information submitted at the public hearing, including the record documents and comments received from the public, the Board makes the following specific findings with regard to the requests for Variances:

#### **a. VARIANCES**

The requested Variances and the requirements set forth in Section 250-13.B of the Code of the Town of Bolton are as follows:

	Current	Required
A. Lot Size	.85 acres	1.5 acres
B. Lot Frontage	129.42	200 feet
C. Lot width @100 feet	129.03	150 feet
D. Front Yard Setback	43	150 feet
E. Side Yard Setback	35	50

**CRITERIA AND FULLFILLMENT OF REQUIREMENTS  
AND FINDINGS FOR REQUESTED VARIANCES**

The Board finds that the criteria for the grant of Variances, set forth in G.L. c. 40A, Section 10, have been met for the following reasons:

1. **That there are circumstances that exist relating to the soil conditions, shape, or topography of the land or structures that uniquely affect such land or structures but that do not affect generally the zoning district in which such land or structure is located;**

The lot size and preexisting nature of the structure on the Premises are unique to it. It is impossible for this lot and any structure on it to conform to the present zoning requirements for the District. The Town by adopting those requirements made it impossible to construct any structure on the property to comply with zoning without the issuance of Variances. It also has realistically zoned out the residential use of the Premises by the uses of the properties that surround the Premises. The lot is about one half the minimum size required. The setback requirements are impossible to meet. The Premises has a failed septic system. The soil and shape of the lot would only support a use such as the one proposed by the Applicant for a branch Bank.

2. **Literal enforcement of the provisions of the bylaw would involve substantial hardship financial or otherwise to the Applicant;**

The current owner's nonconforming residence is surrounded by business ventures across the street and directly abutting it. The Premises has a failed septic system. The Board finds that it will cost in excess of One Hundred Twenty Thousand dollars to repair and or replace same. It is unlikely, impractical, if not impossible for the current owner to find a buyer who would be willing to reside on the Premises and incur that kind of expense even if possible. However, the soil conditions on the Premises would not support a new septic system under Title V to service a residence. The Owner would suffer great financial loss if he could only sell his home to a buyer intending to use the Premises for housing. To require the Applicant to use the existing ninety year old structure as is would involve a financial hardship to the applicant would be bad for its business. Any potential business

buyer of this property would likely have hardship if no changes were made to the structure.

**3. The desired relief may be granted without substantial detriment to the public good.**

The allowance of the requested relief will result in no threat of harm to the public good. The Applicant has operated a branch in Bolton for more than twenty years at a location directly across the street from the Premises. The proposed use is allowed by the zoning bylaw for the Limited Business Zoning District upon issuance of a Special Permit from the Planning Board. The proposed use as a branch Bank is a clean operation. The building will be tastefully designed to be consistent and fit within the historical nature of Main Street. At the Zoning Board's request the Applicant appeared before and received the approval of the building design from the Design Review Board of Bolton. That approval letter has been made part of the record of this application. The proposed structure will not be located any closer to the street or sideline boundaries than the existing dwelling. The new and improved building will result in higher tax revenue to the Town.

**4. The desired relief may be granted without nullifying or substantially derogating from the intent and purpose of the Bolton Zoning Bylaws.**

The proposed structure will be aesthetically pleasing. The construction will be consistent with the Main Street architectural character. The requested relief granted by this Board is historically consistent with the Bolton Zoning Board's past approvals of Variances and Special Permits within the past twenty years for the other business within the Limited Business Zoning District.

**DECISION**

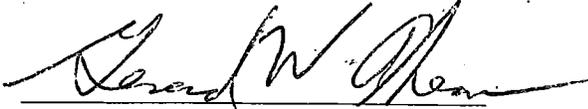
Pursuant to G.L. c. 40A, Section 10 and Section 250-6 of the Code of the Town of Bolton, the Board, after public hearing and findings of fact, hereby grants the Petitioner's requests for Variances, as follows:

Variances from Section 250-13.B of the Code of the Town of Bolton to permit the construction of a new building at 562 Main Street, Bolton, MA allowing for the following dimensional Variances from the zoning bylaw:

	<b>Current</b>	<b>Required</b>
<b>A. Lot Size</b>	<b>.85 acres</b>	<b>1.5 acres</b>
<b>B. Lot Frontage</b>	<b>129.42</b>	<b>200 feet</b>
<b>C. Lot width @100 feet</b>	<b>129.03</b>	<b>150 feet</b>
<b>D. Front Yard Setback</b>	<b>43</b>	<b>150 feet</b>
<b>E. Side Yard Setback</b>	<b>35</b>	<b>50</b>

**RECORD OF VOTE**

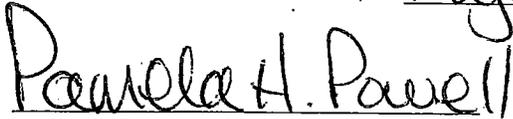
The following members of the Zoning Board unanimously voted to grant the subject to the above-stated terms: Chairman, Gerard Ahearn, Matthew Hurd, Andy Kischitz, Bradley Reed, Kay Stoner.



Gerard Ahearn, Chairman  
(On behalf of the Zoning Board of Appeals)

**FILED WITH THE TOWN CLERK**

Filed with the Town Clerk on August 7, 2014.



Pamela Powell, Town Clerk

2014 AUG -7 PM 12:30

**CERTIFICATE OF NO APPEAL**

The undersigned, being the Town Clerk of the Town of Bolton, certifies that the 20-day appeal period on this decision has passed and there have been no appeals made to this office.

Date: \_\_\_\_\_, 2014.

\_\_\_\_\_  
Pamela Powell, Town Clerk

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

## APPENDIX A RECORD DOCUMENTS

### Original Application Documents

1. Application to ZBA;
2. Certified Abutters List from Bolton's Assessor's Office;
3. Brief to the Board stating the Applicant's request for relief from the provision of Section 250-13.B of the Code of the Town of Bolton;
4. Premises Deed Copy; and
5. Photographs of the existing Premises.

### July 28, 2014 Hearing Documents

1. Letter/ Decision from Bolton Board of Health dated July 16, 2014 with attached Sewage Disposal Works Construction Permit from the Nashoba Associated Boards of Health issued July 8, 2014 for the Premises;
2. Determination of Non Applicability by Bolton Conservation Commission dated July 21, 2014 for the Premises;
3. Letter/ Decision from Bolton Design Review Board dated July 28, 2014 for the Premises;
4. Traffic Impact and Access Study prepared by Dermot J. Kelly Associates, Inc.;
5. "Existing Conditions Plan" prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of June 2, 2014, Scale: 1"=20';
6. "Site Layout Plan" prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of June 2, 2014, Scale: 1"=20';
7. "Site Grading & Utility Plan" prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of June 2, 2014, Scale: 1"=20';
8. "Proposed Landscape Plan", Sheet DR.L, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 1"=20';
9. "Proposed Floor Plan", Sheet DR.1, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 1/8"=1'-0";
10. "Proposed Front and Right Side Elevations", Sheet DR.2, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 3/16"=1'-0";

11. "Proposed Rear and Left Side Elevations", Sheet DR.3, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 3/16" = 1'-0";
12. "Proposed Site Elevations", Sheet DR.4, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014, Scale: 3/32"=1'-0";
13. "Proposed Fence Details and Sign Proportions", Sheet DR.5, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014; and
14. "Proposed Lighting Specifications", Sheet DR.6, prepared by Approach Architects for Clinton Savings Bank, revision date of July 24, 2014.

**EXHIBIT D**



## Town of Bolton

Town Hall, 663 Main Street, Bolton, MA 01740  
Phone 978-779-3308 Fax 978-779-5461  
[townplanner@townofbolton.com](mailto:townplanner@townofbolton.com)

July 28, 2014

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

**Re: Clinton Savings Bank - Design Review Board Report  
562 Main Street, Bolton MA**

Dear Board Members:

At the request of the Bolton Zoning Board of Appeals, The Design Review Board held two public meetings to hear and act upon the application of Wachusett Realty, LLC (parent company of Clinton Savings Bank) for design review of their project located at 562 Main Street in Bolton's Limited Business Zoning District; property identified on Assessor's Map 4.C as Parcel 35. The public meetings were held on June 30, 2014 and July 21, 2014.

The Design Review Board evaluated the project based on building scale, roof form, entrances, external materials and appearance, historic resources, fencing and screening, landscaping, lighting, signage, and parking in accordance with the design criteria outlined in the Code of the Town of Bolton, Section 250-23G.

During this review process, Clinton Savings Bank was amenable to the Design Review Board's recommendations and modified their site plans to the Board's satisfaction. On July 21, 2014, the Design Review Board unanimously approved the overall design of the project.

The approved site plans are as follows:

- Existing Conditions Plan prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, dated June 2, 2014, Scale: 1"=20';
- Site Layout Plan prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, dated June 2, 2014, Scale: 1"=20';
- Site Grading & Utility Plan prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, dated June 2, 2014, Scale: 1"=20';
- Proposed Landscape Plan, Sheet DR.L, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014, Scale: 1"=20';
- Proposed Floor Plan, Sheet DR.1, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014, Scale: 1/8"=1'-0';

- Proposed Front and Right Side Plan, Sheet DR.2, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014, Scale: 3/16" = 1'-0";
- Proposed Rear and Left Side Plan, Sheet DR.3, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014, Scale: 3/16" = 1'-0";
- Proposed Site Elevations Plan, Sheet DR.4, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014, Scale: 3/32"=1'-0";
- Proposed Fence Details and Sign Proportions Plan, Sheet DR.5, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014; and
- Proposed Lighting Specifications Plan, Sheet DR.6, prepared by Approach Architects for Clinton Savings Bank, dated July 24, 2014.

Sincerely,



Michelle Tuck  
Design Review Board Chairman

**EXHIBIT E**



**Board of Health**  
Bolton, Massachusetts 01740

July 16, 2014

Mr. Robert Oliva  
David E. Ross Associates  
PO Box 368  
Ayer, MA 01432

RE: 562 Main Street, Bolton, MA – Septic Variance Request

Dear Rob,

The Board reviewed the variance request for the above referenced property at their meeting July 8, 2014. Based on the information provided, the Board voted to approve the variances to Bolton Board of Health Septic Regulation 4: Distances and the variance to the Town of Bolton Well Regulations, Section 4.1 – Well Location Requirements.

In addition, the Board is requiring that the well head be raised 18" above grade, that physical barriers are installed between the well head and the driveway and that a water quality test be performed according to Bolton Well Regulations prior to occupancy. Lastly, the Board is requesting a copy of any information you may have on the construction of the existing well.

If you have any questions, please contact the Bolton Board of Health at 978-779-3301.

Sincerely,

Christopher Slade  
Chairman, Bolton Board of Health

cc: William Brookings, Nashoba Associated Boards of Health  
Michael Tenaglia, Wachusett Realty LLC, 200 Church Street, Clinton, MA 01510  
File



**EXHIBIT F**



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 2 – Determination of Applicability**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



From:

Bolton  
 Conservation Commission

To: Applicant

Wachusett Realty Trust LLC  
 Name  
200 Church Street  
 Mailing Address  
Clinton MA 01510  
 City/Town State Zip Code

Property Owner (if different from applicant):

R. Lee Bracy  
 Name  
562 Main Street  
 Mailing Address  
Bolton MA 01740  
 City/Town State Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

<u>"Sewage Disposal System" Prepared by David E. Ross Associates, Inc.</u>	<u>May 2014</u>
Title	Date
<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date

2. Date Request Filed:

May 28, 2014

**B. Determination**

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Grading associated with the breakout slope of a new proposed sewage disposal system.

Project Location:

562 Main Street  
 Street Address  
4.C  
 Assessors Map/Plat Number

Bolton  
 City/Town  
25  
 Parcel/Lot Number



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 2 – Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Determination (cont.)**

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

**Positive Determination**

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.

2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

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2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

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3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).

5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Name

Ordinance or Bylaw Citation



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

**WPA Form 2 – Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Determination (cont.)**

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:
- 
- 

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

**Negative Determination**

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
- 
- 

4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 2 – Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Determination (cont.)**

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name

Ordinance or Bylaw Citation

**C. Authorization**

This Determination is issued to the applicant and delivered as follows:

by hand delivery on

by certified mail, return receipt requested on

Date

Date

July 21, 2014

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see Attachment) and the property owner (if different from the applicant).

Signatures:

*Queta Beut*  
*James Ste...*  
*[Signature]*  
*Yana Berman*

Date

July 15, 2014



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 2 – Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**D. Appeals**

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see Attachment) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

**EXHIBIT G**



## BOLTON HISTORICAL COMMISSION

Town Hall, 663 Main Street, Bolton, MA 01740

December 20, 2013

Michael D. Tenaglia, Sr. Vice President  
Clinton Savings Bank  
60 Plain St.  
Clinton, MA 01510

Dear Mr. Tenaglia,

This is a letter to advise you of the Bolton Historical Commission's decision, after the hearing held on December 18, that the status of the Howard Atwood Farm Manager's House (BOL-185) at 562 Main Street is 'preferably preserved', because its demolition will be detrimental to the historical, cultural or architectural heritage of the town. Therefore, no further demolition or construction permits may be applied for or issued for a period of six (6) months from the date of the hearing, such date being June 18, 2014.

*As stated in the Demolition Delay Bylaw 1.17.3.8: During the six (6) month period, the Commission will invite the applicant to participate in an investigation of alternatives to demolition. If acceptable alternatives are agreed upon by the Commission and the applicant, the Commission will file a copy of said agreement with the Building Inspector and Town Clerk and the applicant may apply for necessary permits to begin work. Work shall only be done in accordance with the terms of the agreement unless and until new permit applications are filed and processed hereunder.*

The Commission appreciates your willingness to consider the needs of the Town while developing your plan for a new bank branch location.

Sincerely,

Linda Engelmann, member  
Bolton Historical Commission

Cc: Richard R. Hayward, Jr., CPA, Senior Vice President, Clinton Savings Bank, 200 Church St., Clinton, MA; R. Lee Bracy, Jr. 562 Main Street, Bolton, MA 01740; Bolton Town Clerk, Bolton Building Inspector

EXHIBIT H

Wachusett Realty, LLC  
Application for Special Permit  
562 Main Street  
Bolton, MA

### PLAN SUMMARY

1. "Existing Conditions Plan" Sheet 1 of 6 prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of August 22, 2014, Scale: 1"=20'
2. "Site Layout Plan" Sheet 2 of 6 prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of August 22, 2014, Scale: 1"=20'
3. "Site Grading & Utility Plan" Sheet 3 of 6 prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of August 22, 2014, Scale: 1"=20'
4. "Landscaping Plan" Sheet 4 of 6 prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of August 22, 2014, Scale: 1"=20'
5. "Construction Details" Sheet 5 of 6 prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of August 22, 2014, Scale: 1"=20'
6. "Stormwater Management Sedimentation & Erosion Control Plan" Sheet 6 of 6 prepared by David E. Ross Associates, Inc. for Wachusett Realty, LLC, revision date of August 22, 2014, Scale: 1"=20'
7. "Proposed Floor Plan", Sheet DR.1, prepared by Approach Architects for Clinton Savings Bank, revision date of August 22, 2014, Scale: 1/4"=1'-0"
8. "Proposed Floor Plan", Sheet DR.1A, prepared by Approach Architects for Clinton Savings Bank, revision date of August 22, 2014, Scale: 1/4"=1'-0"
9. "Proposed Front and Right Side Elevations", Sheet DR.2, prepared by Approach Architects for Clinton Savings Bank, revision date of August 22, 2014, Scale: 1/4"=1'-0"
10. "Proposed Rear and Left Side Elevations", Sheet DR.3, prepared by Approach Architects for Clinton Savings Bank, revision date of August 22, 2014, Scale: 1/4"=1'-0"
11. "Proposed Site Elevations", Sheet DR.4, prepared by Approach Architects for Clinton Savings Bank, revision date of August 22, 2014, Scale: 3/32"=1'-0"
12. "Proposed Site Lighting Plan, Details, and Specifications", Sheet DR.5, prepared by Approach Architects for Clinton Savings Bank, revision date of August 22, 2014, Scale: 1"=20'.

**EXHIBIT I**

# DAVID E. ROSS ASSOCIATES, INC.

*Civil Engineers, Land Surveyors, Environmental Consultants*

Wachusett Realty, LLC  
Clinton Savings Bank  
562 Main Street  
Bolton, MA

## **Development Impact Statement**

The proposed development includes the construction of a new bank office building at 562 Main Street in Bolton, MA. The 0.85 acre parcel is located in the Limited Business Zoning District. The site currently contains an existing single family house and detached garage, which will be removed as part of the proposed development. Under the Limited Business District, the proposed use of the property requires a Special Permit from the Planning Board under Sections 2.3.4 and 2.5.5.5 of the Bolton Zoning Bylaw.

### **Use Description:**

The Applicant is proposing to construct a new building and move their existing Bolton branch office to this location. The existing branch office is located at 563 Main Street in the existing office building located across Main Street. The building will include customer service areas, offices, an automatic teller machine (ATM), and teller windows. The ATM and teller windows will be accessed via three drive through lanes under a building canopy at the rear of the proposed building.

The proposed building contains approximately 1,965 s.f. of floor area. The total roof area is 2,884 s.f., resulting in lot coverage of 7.8% (0.066 acres). Under the definition of Lot Coverage, the allowable coverage (8% of 0.85 acres) is 0.068 acres. The proposed development will include a total impervious area; rooftop, pavement, sidewalks, etc. of 47.6% (0.405 acres). The allowable impervious coverage (50% of 0.85 acres) is 0.425 acres. The proposed development, therefore, satisfies both the lot coverage and impervious area requirements in the Zoning Bylaws.

The project does not include any dedicated open space, however, approximately 0.25 acres of green space at the rear of the parcel will be maintained by the development. A portion of this area is within Conservation Commission jurisdiction, another portion is the location of the proposed septic system, and the remainder is existing wooded area along the rear parcel boundary.

The site will be accessed by a looped one-way driveway around the building. The driveway will provide access to parking and the drive through lanes as shown in the site plans. Signage and pavement markings will be provided to indicate the one-way access. Parking for the facility

includes a total of 13 standard parking spaces and one accessible parking space. Under the Zoning Bylaws, the required parking area is one square foot per square foot of building floor area. The total floor space for the building is 1,965 s.f., requiring 1,965 s.f. of parking area. The total parking area provided is 5,360 s.f. The proposed parking area satisfies the parking requirement.

The facility will be served by both private well and sewage disposal system. The existing well will be used for water service. The existing wellhead will be modified to bring it in conformance with current regulations. A new sewage disposal system will be constructed as part of the development. The Bolton Board of Health has approved the design of the system, and the existing well re-use for the project.

The project will include extensive landscaping, as shown on the Landscape Plan. The site will also include site lighting fixtures as shown on the Site Lighting Plan and details. The Bolton Design Review Board has reviewed and endorsed the landscaping and lighting layout as part of their review of the building construction.

The building construction does not include a sprinkler system based on its size. An existing fire pond and dry hydrant is located approximately 300' west of the site at the office park property. The pond and dry hydrant have an existing gravel access from Main Street.

Drainage Calculations:

In summary, the on-site stormwater collection system has been designed in accordance with the requirements of the Town of Bolton and the Massachusetts DEP Stormwater Management Policy. The system will include deep sump catch basins, water quality inlets and two underground infiltration chamber systems to treat and recharge runoff from the development. The system will satisfy the requirements of the Stormwater Standards as well as prevent any off-site flooding or increases in runoff to adjoining properties. For a complete narrative on the stormwater system proposed for the site, and its design, please refer to the "Stormwater Report – 562 Main Street" by David E. Ross Associates dated August, 2014 and submitted under separate cover with this application.

Earth Removal Calculations:

The project will, for the most part, not include soil removal from the site. The proposed construction will require that the existing grades be raised to accommodate the construction of the underground infiltration systems and the sewage disposal system. Existing topsoil will be stockpiled during construction for re-use in landscaping the developed site. Soils excavated for construction of the building and drainage system will be used as ordinary fill on the perimeter of

DAVID E. ROSS ASSOCIATES, INC.

the driveways, parking, and sewage disposal system. No excess materials are anticipated, but if an occasional load is required to be trucked off-site, it is anticipated it would be done by a typical 10 wheel dump truck using Main Street.

The project will require that off-site soil material be imported in order to establish the proposed finished grades on the site. It is estimated that the construction will require approximately 1,800 cubic yards of imported material. Delivery of these materials will likely be by 10 wheel or 18 wheel dump truck. Delivery will be during normal construction hours between 7:00 am and 5:00 pm. Truck traffic will likely use Main Street via Route 495 to the east; however, this may vary depending on the location of the source of the materials.

Traffic Study:

For a complete narrative of the traffic study performed for this project please see the “Traffic Impact & Access Study” Proposed Drive-In Bank Relocation Project, 562 Main Street (Route 117) Bolton, MA prepared by Dermot J. Kelly Associates, Inc. - Traffic/Transportation Planning and dated August 20, 2014 and submitted under separate cover with this application.

DAVID E. ROSS ASSOCIATES, INC.

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111 Fitchburg Road P.O. Box 368 Ayer, Massachusetts 01432-0368  
978-772-6232 978-368-1065 978-448-3916 FAX 978-772-6258