



Alan DiPietro &lt;alandipietro@gmail.com&gt;

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**0 Teele**

4 messages

**Bazin, John** <john.bazin@nemoves.com>

Wed, Jan 29, 2020 at 7:55 PM

To: Alan DiPietro &lt;alandipietro@gmail.com&gt;, "karan.bazin@gmail.com" &lt;karan.bazin@gmail.com&gt;

Cc: "Bazin, John" &lt;john.bazin@nemoves.com&gt;

Alan ... I have made contact with the Bolton Conservation and Planning departments and are prepared to meet with them to discuss their concerns ... wetlands, zoning, access, etc., but another question:

Are there any utilities in any of the lots, and primarily the "highlands" where the apartment complex was proposed in Concept #3?

Thanks.

John

John Bazin, REALTOR®

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**Alan DiPietro** <alandipietro@gmail.com>  
To: "Bazin, John" <john.bazin@nemoves.com>

Thu, Jan 30, 2020 at 9:26 AM

There are not any utilities. The farm is solar and precipitation powered

The only utility that would be available is electricity from Hudson Light and Power at the street, Teele/Maple same for both Bolton and Stow

Well and septic will have to be worked out. Multiple perc and deep holes have been successfully tested in the upland Subsurface disposal plans, on file at Nashoba Associated Boards of Health - attached to previous email - also other subsequent successful testing  
Water Resource Special Permits are no longer necessary as Bolton's Bylaw has been brought in line with the State Requirements.

I would also suggest you thoroughly read the previously attached variance for Lot 1 as it provides history and process on the variance you will need for Lots 2-5, to enter through stow.  
Previously issued variances can be provided by Planning Dept, or I can scan and email to you.

More info on Lot 1 Worcester b22549 p314 DEP File 112-354 Final Order of Conditions  
More info on Lots 2-5 Middlesex b26010 p329 Board of Appeals on entering through Stow.  
<http://www.masslandrecords.com/>

More info for your discussions

2016 -The Town of Bolton told me I had only one lot (per the Bolton Bylaw) not the five that they had been taxing for the past 25 years, since the plan creating these lots was only recorded in Middlesex County. Bolton ByLaw requires recording in Worcester County, I simply recorded in **Worcester, b918 p118** the same plan which had been signed by both Bolton and Stow 25 years earlier, thus resolving that issue - Accepted by ZBA for new Lot 1 Variance

I was told that they would not honor the variances originally issued by the town 25 years earlier as they had not been recorded. I applied for and was granted that same variance for Lot 1, required because some of the frontage was in Stow not Bolton. The variance was approved, issued and recorded in Worcester County, along with my Declaration of Homestead.

I then had Lot 1 Perc tested and was working on the NOI and Septic Plan. However a DEP Declared Drought stopped the documentation to refute the Perennial Stream Presumption and thus halted progress. There are no Perennial Streams on the property and therefore no 200 foot Riverfront Area, as determined by the Conservation Commissions of Stow, Feb 6, 2018 and Bolton January 16, 2018. Wetland Delineation was accepted by the Town of Bolton for Lot 1 in March 6, 2018 DEP File #0112-0660.

However the Town is withholding this already approved permit, solely due to back taxes, which will be paid from the sale to provide clear title.

When do you meet with Planning and Cons Com?  
Let me know if there is anything else I can help with

-Alan

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**Bazin, John** <john.bazin@nemoves.com>

Thu, Jan 30, 2020 at 3:15 PM

To: Alan DiPietro <alandipietro@gmail.com>, "karan.bazin@gmail.com" <karan.bazin@gmail.com>, "Bazin, John" <john.bazin@nemoves.com>

Thanks Alan. Lots of moving parts. 😊

Trying for next week. Will let you know.

Best,

John

John Bazin, REALTOR®

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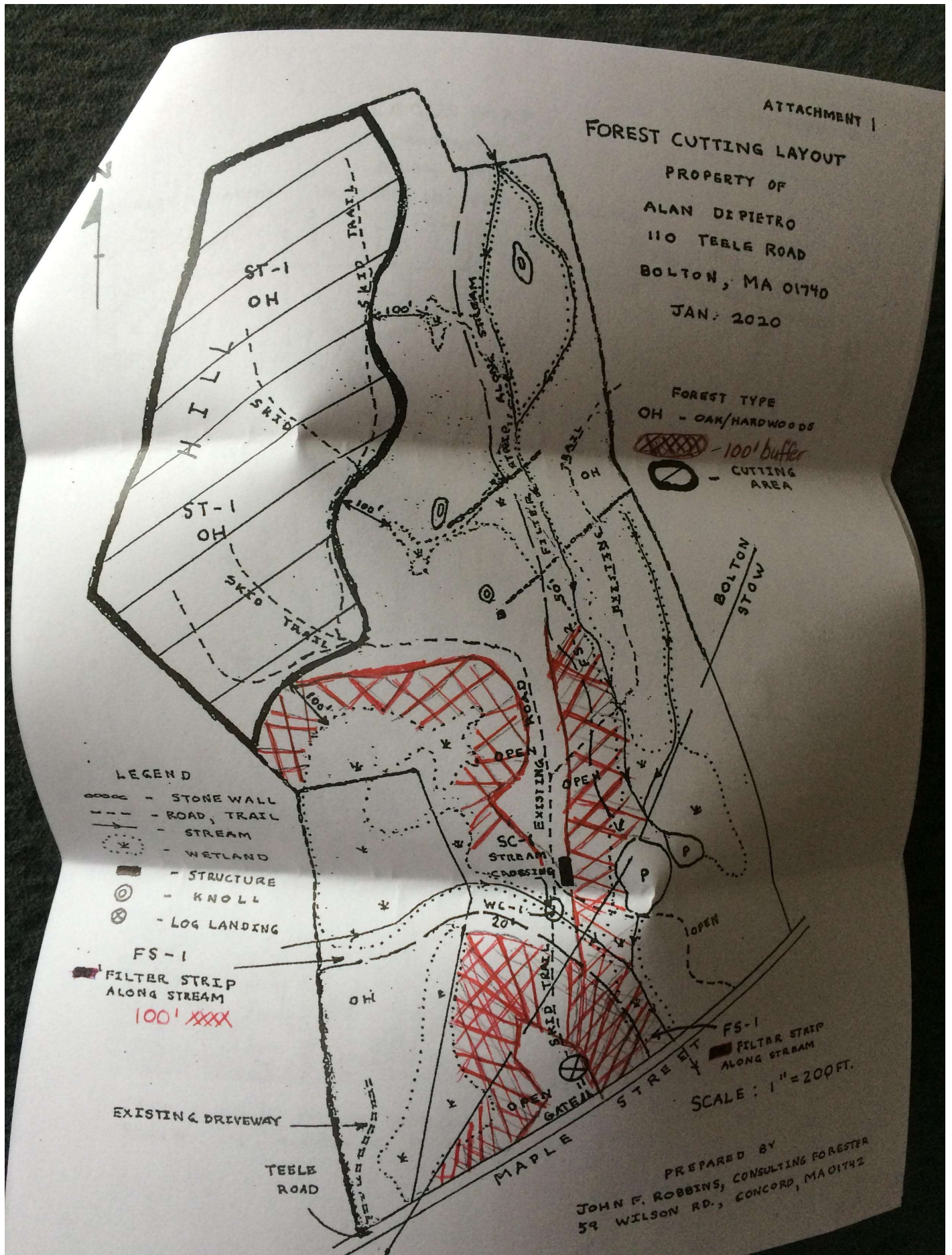
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To: "Bazin, John" <john.bazin@nemoves.com>  
Cc: "karan.bazin@gmail.com" <karan.bazin@gmail.com>

Fri, Jan 31, 2020 at 2:56 PM

Sorry scanning was a pain I just took a coupe pics

The cutting plan below shows the area available for development - as "Cutting Area" and the best access route to the upland as "Existing Road / Skid Trail" from the "Gate" on Maple St.



Below are the original variances for all the lots. The claim is they were never recorded, I could not find them but another search of the Worcester/Middlesex Registry of Deeds might be worth while.

BOARD OF APPEALS  
BOLTON, MA 01740  
VARIANCES

Decision of Board of Appeals  
Case #91-8 & 91-9  
Petitioner: Dr. Yasin Balbaky

Upon Petition of Dr. Yasin Balbaky of Newton, MA, owner of Lots 1 thru 5 on Teele Road for:

- 1) a variance to Zoning Bylaws Section 2.6 "Lot Frontage" to allow building lots to be created not on a town way as shown on the Base Town Map (proposed lots front on Maple Street, Stow) and;
- 2) a variance to the Zoning Bylaws Section 2.4.1.2 (d) "Common Driveway" to allow for a common driveway to be connected to other than a town way and not wholly within the Town of Bolton.

The Board of Appeals held a hearing on October 22, 1991 at 7:30 P.M., in the Town Hall, Main Street, Bolton, Massachusetts, after publication and notice to abutters and others as required by Chapter 40A of the Massachusetts General Laws. The Board voted to reconvene on October 29, 1991 at 7:30 p.m. to allow for a site visit.

Present were Board members: Jacqueline Smith, Duane Henry, John Cussen, Richard Heaton, Edwin Hatfield.

Speaking for the petitioner: Sarallyn Keller of Beals & Thomas, Inc.

Said land is situated in a district classified under the Town of Bolton Zoning Bylaws as residential and described in deed recorded in Book 5028 Page 172 at the Worcester District Registry of Deeds.

The Board of Appeals voted unanimously to grant the requested variances as follows:

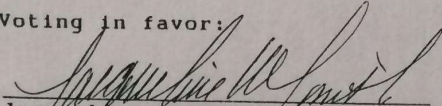
- 1) The Board voted unanimously to grant the request for the variance to the Zoning Bylaw Section 2.6 "Lot Frontage" to allow building lots to be created not on a town way as shown on the Base town Map (proposed lots front on Maple Street, Stow) and required the petitioner to meet all the rules and regulations of all Boards of Stow and Bolton as if the property resided in only that town where the respective Board or regulation applies.
- 2) The Board voted unanimously to approve the request for the variance to the Zoning Bylaw Section 2.4.1.2 (d) "Common Driveway" to allow for a common driveway to be connected to other than a town way and not wholly within the Town of Bolton and required the petitioner to meet all the rules and regulations of all Boards of Stow and Bolton as if the property resided in only that town where the respective Board or regulation applies.

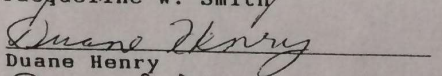
This variance shall not take effect until a copy is recorded hereof with the Worcester District Registry of Deeds pursuant to General Laws, Chapter 40A, Section 11, as amended; and further that said recording shall be accomplished not later than six months from the date of this decision; and further that any construction hereunder must commence no later than one year from the said recording.

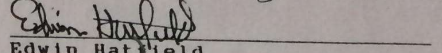
It was ordered by the Board that persons notified of the hearing be notified of the foregoing decision.

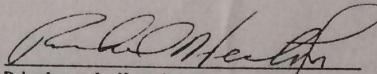
Any appeal to this decision must be made to the Superior Court within 20 days after the filing of this decision with the Town Clerk, in accordance with Section 17 of Chapter 40A of Massachusetts General Laws.

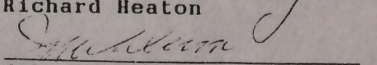
Voting in favor:

  
Jacqueline W. Smith

  
Duane Henry

  
Edwin Hatfield

  
Richard Heaton

  
John Cussen

Nov. 19, 1991  
Date

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