



Minutes of Meeting
June 27, 2006
Acton Memorial Library

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Christopher Schaffner (Vice Chair), Mr. William King, Ms. Ruth Martin, Mr. Michael Densen and associate Mr. Alan Mertz attended. Also present were Town Planner, Mr. Roland Bartl and Assistant Planner, Ms. Kristin Alexander.

Absent were Mr. Edmund Starzec and Mr. Bruce Reichlen.

Mr. Niemyski called the meeting to order at 7:34 PM.

I. Citizens Concerns

No concerns

II. Consent Agenda

Item A, Minutes of 6/13/06, and Item B, Davis Place – 159 Prospect Street – Chapter 40B, passed by unanimous vote.

III. Reports

EDC: Mr. Roland Bartl stated that a gentleman attended the EDC meeting looking for assistance in establishing a foreign-owned business in Acton. The EDC does not have that ability. The committee discussed the role of the EDC and also reviewed and commented on site plans.

CPC: Mr. Bartl reported the committee has edited the Town's Community Preservation Plan based on information compiled from the June 8th meeting. The edited (draft) plan will be posted on the Town website. The CPC will be accepting comments on the draft plan through July 27, 2006.

IV. 45 Main Street – Determination of a street for zoning purposes – Hearing Continuation

Mr. Niemyski opened the public hearing at 7:45PM. The applicant, Mr. Renwick Tweedy, and his engineer, Mr. Jeramie Vaine of LandTech Consultants, Inc. were present. Mr. Matthew Waterman of LandTech Consultants, Inc. presented the proposal. The applicant seeks a determination by the Planning Board under Acton Zoning Bylaw Section 1.3.16.4) that the way accessing 45 Main Street is a street for purposes of the proposed use(s). According to Mr. Waterman, if the Planning Board deemed the way a street, the applicant would submit an Approval Not Required (ANR) plan to subdivide the properties to create two additional building house lots. Currently, the way is gravel and serves Mr. Tweedy's home and Ms. Marianne Varno's home (at 47 Main Street). The applicant proposes the way to remain private and has decided not to pursue abandoning the portion of the way closest to Conant Street at this time.

Board members had questions/comments regarding the existing grade of the way, ownership of the way, whether abandoning the way is necessary to provide the lot area needed to make one of the lots buildable, and the maximum number of lots that should be allowed if the way is deemed a street.

Abutters in attendance raised questions and concerns related to:

- The future width and grade of the way if deemed a street;
- Sight distance;
- Adding traffic to Main Street when traffic already backs up in front of the way during evening rush hour;
- 47 Main Street retaining access to the way.

Board members directed the applicant to research who owns and has rights to the way and examine the sight distance trying to exit the way onto Main Street. Board members agreed that the way, if deemed a street, should be designed similar to a common driveway.

The motion was made to continue the public hearing on August 8, 2006 at 8:30 PM and to extend the decision deadline to September 14, 2006. The motion passed unanimously. Mr. Tweedy and Mr. Niemyski signed an extension agreement.

V. Subdivision Rules and Regulations – Changes, Part 2

Board members reviewed staff's memo recommending additional revisions to the subdivision rules and regulations. Mr. Bartl relayed a conversation he had with the Engineering Department regarding the need for grass strips between sidewalks and street pavement for snow storage. The Board directed staff to research which sidewalks in Town take priority when it comes to snow plowing. After discussing whether grass strips should be required, Board members agreed to use the wording in the memo. The motion was made to schedule a public hearing on parts one and two of the changes to the subdivision rules and regulations. The motion was seconded and passed unanimously.

VI. Affordable Housing – Zoning Change Draft and Strategy

Mr. Bartl explained that the affordable housing requirements in the Acton Zoning Bylaw are inconsistent with the State Department of Housing and Community Development (DHCD) requirements for Chapter 40B projects. Mr. Bartl stated that the proposed changes would:

- emulate Chapter 40B project requirements;
- decrease the affordable housing percentage requirement for projects to 25% (same as the Chapter 40B requirement);
- change the density requirement formula for projects;
- affirm the State and Town goal of 10% of Acton's housing stock to be affordable;
- establish different review processes for projects depending on whether the 10% affordable housing goal had been met or not;
- make the Planning Board the review agency for projects that fall under the affordable housing provisions of the Zoning Bylaw;
- have affordable housing projects follow the subdivision review and decision timeframe which is slightly faster than a special permit review and decision timeframe;
- make the project density cap based on floor area ratio rather than unit count;
- promote higher density projects and mixed use projects;
- encourage affordable housing projects to be located within the villages and Kelley's Corner, and establish different sets of standards depending on whether the project is proposed (a) within a village or Kelley's Corner, (b) within a ½ mile of a village or Kelley's Corner, or (c) outside those areas.

Board members had questions and comments regarding the number of non-conforming lots that could be used for affordable housing projects; the fiscal impacts of the changes; asking various Town boards and committees for input, especially the Acton Community Housing Corporation, before Town Meeting; simplifying the changes for Town Meeting by bringing the changes to Town Meeting in phases; and focusing on the villages and Kelley's Corner and the ½ mile radius around each area for project locations.

The Planning Board directed staff to research the number of non-conforming lots that could be impacted by the proposed changes, rewrite the draft to put more of an emphasis on mixed use projects, and explore how the ½ mile radii should be drawn around the villages and Kelley's Corner.

The motion was made to cancel the July 25, 2006 Planning Board meeting. The motion was seconded and passed unanimously.

Mr. Schaffner moved to close the meeting, Mr. Densen 2nd; all voted in favor.

The meeting adjourned at 9:35 PM.