



**ACTON PLANNING BOARD**

**Minutes of Meeting  
September 23, 2008  
Acton Memorial Library**

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Ryan Bettez, Ms. Ruth Martin, Mr. Bruce Reichlen, Mr. Alan Mertz, Mr. Roland Bourdon, and Associates Ms. Leigh Davis-Honn and Mr. Ray Yacouby attended. Also present were Town Planner, Mr. Roland Bartl and Secretary, Ms. Kim DeINigro.

Mr. Niemyski called the meeting to order at 7:30 PM.

Mr. Ryan Bettez arrived at 7:55pm.

**I. Citizens Concerns**

None raised.

**II. Consent Agenda**

Consent Item A. Minutes of 9/09/08 was approved and all voted in favor.

**III. Reports**

CPC: Mr. Bourdon noted that members of the committee will be attending tonight's meeting for the next agenda item.

Open Space: Ms. Ruth Martin reported the same topic is being discussed (next agenda item).

EDC: No report.

**IV. Michaela Moran and Susan Mitchell-Hardt - Presentation**

Present was Susan Mitchell-Hardt, Mr. Hardt and Michaela Moran.

Mrs. Mitchell-Hardt discussed the proposed warrant Article 2 for the Town's proposed purchase with CPA funds for 8 Piper Lane pending approval at the Special Town Meeting on October 2. Mrs. Mitchell-Hardt discussed and reviewed her presentation. Mrs. Mitchell-Hardt stated the combined lands are approximately 5.5 acres of open space and a 0.4-acre residential lot with an historic residential structure located adjacent to the Great Hill Conservation Land proximate to the South Acton Historic District. She explained the purchase would satisfy the CPA purposes of the historic preservation, open space, and recreation.

Motion was made that the Board indicate its support at the Annual Town Meeting, Ms. Martin 2<sup>nd</sup>, all in favor.

The Board thanked Ms. Mitchell-Hardt for her time and dedication to the proposal.

**V. The Residence at Quail Ridge – Supplemental Special Permit to Decide on Access – Draft Decision; Discussion & Votes beginning at +/-8:00 PM (all members voting except Mr. Yacouby)**

The Board members reviewed and discussed staff's draft supplemental decision, which would stipulate full street access at Hazelnut Street and an emergency access at Palmer Lane.

Board members stated their individual concerns and position with respect to the question of access to the development from Acorn Park. It was noted that a 2/3 majority would be required to issue a supplemental decision.

Mr. Reichlen moved to approve the supplemental decision as drafted, 2<sup>nd</sup>. Motion lost 3 in favor to 4 opposed.

Mr. Mertz took exception to a sentence in the supplemental draft decision. Mr. Mertz moved to remove “and in fact is so minimal as to be negligible” in Section 3.6. 2<sup>nd</sup>, all in favor.

Mr. Mertz stated his concern on how he would vote and that he cannot support any full connection to Acorn Park. It was discussed and confirmed that if the Board cannot reach agreement by a 2/3 special permit majority vote on one access solution, the default access alternative would be two full street accesses to Acorn Park public ways as approved in the original February 2008 decision.

Mr. Mertz moved to modify the draft decision and approve it with a stipulation to require gated access at both Hazelnut Street and Palmer Lane, 2<sup>nd</sup>. Motion lost 4 in favor to 3 opposed.

Mr. Bettez move to have Palmer Lane closed with a gated emergency access and to have Hazelnut Street as a one-way access into The Residences at Quail Ridge, 2<sup>nd</sup>, discussion, motion lost 4 in favor to 3 opposed.

Mr. Niemyski moved to reconsider the original motion by Mr. Reichlen and to issue a decision as drafted. 2<sup>nd</sup>, motion lost 3 in favor to 4 opposed.

Mr. Niemyski noted that the task after the supplemental hearing process is to issue a supplemental decision to the original decision that was issued in February. The original decision approved two open street accesses. Mr. Niemyski asked for any other motion. There being none, Mr. Niemyski stated that the Board is in failure to reach a supermajority vote on the supplemental decision and that therefore the original decision stands unchanged.

#### **VI. ARRT Support Letter – draft included**

The Board was in full support of the Assabet River Rail Trail letter as drafted. Mr. Reichlen moved to support the letter, 2<sup>nd</sup>, all in favor.

Mr. Reichlen moved to close the meeting, Mr. Bourdon 2<sup>nd</sup>; all voted in favor.

The meeting adjourned at 9:00 PM.