

12/1/08 (14)

Christine Joyce

From: Lauren Rosenzweig [lsr57@comcast.net]
Sent: Monday, November 24, 2008 11:01 AM
To: Roland Bartl; Christine Joyce; Steve Ledoux; Board of Selectmen; Manager Department
Subject: RE: Robbins Brook Retirement, Phase III extension

Please put the vote on granting an extension to January 12, 2009 on the Consent Agenda.

Lauren

From: Roland Bartl [mailto:rbartl@acton-ma.gov]
Sent: Monday, November 24, 2008 10:48 AM
To: Christine Joyce; Steve Ledoux; Board of Selectmen; Manager Department
Subject: RE: Robbins Brook Retirement, Phase III extension

There is no hearing on this matter. The request was to extend the special permit on Phase III of the Robbins Brook development project because there was no activity and it had come up against the 2 year special permit limit.

When this first came up, Bob Guba raised the question if as part of the permit extension the owner could grant an easement for the Bay Circuit Trail where there is a current easement for the Nashoba Sportsman Club (NSC) between Main Street and the future BFRT route. To allow for investigation of that possibility the Board extended the permit temporarily to 12/15 rather than to approve the requested two year extension. The owner has indicated general willingness to grant the easement. But, there is a need to see the scope of the current easement to the NSC and to draft an easement for the Bay Circuit Trail. It appears that the temporary extension was granted until 12/15. We have not been able to make progress on this, so I recommend a further temporary permit extension to January 12, 2009. Hopefully we will have clearness on it by then.

But again, there is no hearing to be opened or continued.

*Roland Bartl, AICP
 Planning Director, Town of Acton
 472 Main Street
 Acton, MA 01720
 978-264-9636*

-----Original Message-----

From: Christine Joyce
Sent: Monday, November 24, 2008 7:58 AM
To: Steve Ledoux; Board of Selectmen; Manager Department; Roland Bartl
Subject: FW: Robbins Brook Retirement, Phase III extension

All,

The Chairman will need to open the hearing on the 3rd, and continue to Jan 12th in order to accommodate review and comment as you see in the e-mail thread. Thanks, Chris

-----Original Message-----

From: Roland Bartl
Sent: Friday, November 21, 2008 5:02 PM
To: Christine Joyce
Subject: RE: Reminder

Please do. There is no hearing, however, that needs to be opened and extended.

Mr. Calendrella's request to find out more about budgets and suggested that the press let people know and perhaps have some charts on the Cable channel. Lauren will draft an article to that affect.

Lauren noted a clear need for those on fixed incomes need help and we might look at donations and other charities especially this year with the increased need for fuel assistance.

REQUEST TO ESTABLISH A POLICY REGARDING QUORUMS OF THE BOARD WHEN CONDUCTING TOWN BUSINESS WITHOUT A MEETING BEING POSTED

Paulina drafted a summary motion based on our last meeting. Lauren discussed the policy point by point. (add the draft motion from Paulina)

Andy noted the difficult situation of what happened at these meetings. If that meeting is a posted meeting the public gets the same info they the committee attendees get. Andy liked posting as an informational meeting and asked that Town Counsel review this to make sure it is legal.

Peter noted his concerns about the Open Meeting, post the meeting, and that no Board of Selectmen business discussed.

Lauren talked about the 48 hour notice, and with the whole idea of so many meetings thinks that the informational meetings that leave the person who did not attend as at a disadvantage. Steve was asked to write Counsel

TERRA FRIEDRICHS – Moved to approve this policy pending counsel review. PETER BERRY – second. Paulina wanted to know the policy is reviewed by counsel before we vote this policy. *Terra withdrew her motion.*

ROBBINS BROOK RETIREMENT COMMUNITY, 888, 900 MAIN STREET, EXTENSION OF SITE PLAN, #11/18/98-366

The request will be continued for 3 months because of the need to review further and to negotiate an easement. Jim Snyder looks forward to continuing this to a successful completion. ANDREW MAGEE - Moved to extend to December 15, 2008. TERRA FREIDRICHS – second. UNANIMOUS VOTE

OTHER BUSINESS

Town projects for CPC Draft of what we will be looking at

April Town Meeting consider a proposal to have legislation to pay the difference of salary of military persons if they served overseas. Veteran's Day was also noted.

Andy spoke about the Wednesday presentation of the 25% design on BFRT.

Terra asked about having the unnumbered mail packet available on line. She also spoke about Verril Farm.

CONSENT

~~10/6/08~~ **Christine Joyce**

From: Roland Bartl
Sent: Thursday, October 02, 2008 6:28 PM
To: Steve Ledoux
Cc: Manager Department; 'jm@stamskiandmcnary.com'
Subject: Robbins Brook special permit extension (#11/18/98-366, Phase 3) - 10/6 BoS Agenda item 7
Importance: High

Steve:

This item has been continued from the September 12 meeting. At that time Mr. Bob Guba from the Land Stewardship Committee (I am not certain if was before the Board in the capacity of and LSC member or if he is separately active in the efforts for the Bay Circuit Trail) addressed the Board regarding a trail connection/easement over the Robbins Brook property for a Bay Circuit Trail connection between the future BFRT route and Main Street. The location of such an easement could be on top of or alongside the current access easement for the Nashoba Sportsmen's Club. The Selectmen at that time extended the special permit until October 6, 2008 when the matter could be further reviewed.

I have no indication that Mr. Guba or the Land Stewardship Committee have followed up on this item since 9/12. It has fallen off my radar screen until I reviewed the draft agenda for the 10/6 Board of Selectmen meeting today.

I called Mr. Joseph March of Stamski and McNary who had submitted the extension request on behalf of his client (Vazza Homes) and informed him of the status. He agreed to review the matter, contact his client, and then get back in touch – hopefully next week.

Given where we are with this today, and assuming that the Selectmen are interested in pursuing the trail easement inquiry, I recommend that the Board of Selectmen grant the extension request for an additional 3 months – say to December 31, 2008. This will allow us time to review and discuss the request with the property owner, circle back with Mr. Guba, and, if the owner is inclined to grant such an easement, to do the necessary legal research and plan & document preparation. If there will be an easement it will also have to go for a vote of acceptance at the next annual Town Meeting.

*Roland Bartl, AICP
Planning Director, Town of Acton
472 Main Street
Acton, MA 01720
978-264-9636*

10/3/2008



Planning Department

~~9/8/08~~

~~23~~

TOWN OF ACTON
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planning@acton-ma.gov

MEMORANDUM

To: Steven Ledoux, Town Manager **Date:** August 13, 2008
From: Roland Bartl, AICP, Planning Director *R.B.*
Subject: Robbins Brook Retirement Community – 886, 900 Main Street; 8 Eastern Road
Site Plan and Special Use Permit #11/18/98-366, Phase 3
Request for permit extension

The project has indeed slowed to a stand-still. Phase 1 is completed. Of the Phase 2 units only about 8 or 10 are finished and not all are occupied. There are several back-filled foundations. The rest of the site is vacant. There is no construction activity except for tying up a few odds and ends. Phase 3 has not started. The Building Commissioner reports that the site is in reasonable and secure condition given the situation. I recommend granting the requested Phase 3 permit extension for another 2 years to September 14, 2010.

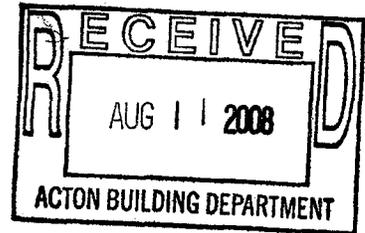
Cc: Building Commissioner

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STAMSKI AND McNARY, INC.

80 Harris Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

WILLIAM F. McNARY, P.L.S.
JOSEPH MARCH, P.E., P.L.S.



August 11, 2008

Acton Board of Selectmen
Acton Town Hall
472 Main Street
Acton, MA 01720

Re: Site Plan Special Permit & Special Use Permit # 11/18/98-366, Phase 3
886, 900 Main Street and 8 Eastern Road

Members of the Board,

On behalf of our client, RRV, LLC, we hereby request an extension to the referenced Special Permits. As a result of the downturn in the economy, additional time is required to complete the project.

Thank you in advance for your consideration of this request. If you have any questions, please feel free to call.

Very truly yours,

Stamski and McNary, Inc.


Joseph March, P.E., P.L.S.

Cc: Stephen Vazza, 780 Dedham St., Suite 400, Canton, MA 02021

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

September 8, 2008
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Bob Guba spoke about trails. Bay Circuit passes through Acton. They have a problem getting from BFRT to Route 27. Mr. Ullman is the point person on this issue, and would have been here tonight, but was away. Robbins Brook management continues to deny passage through their property. He asked that the town work with the Robbins Brook to allow them to use the property. The Manager was asked to follow-up with Robbins Brook folks. He suggested that it be tabled for tonight, until we get more information.

Andy suggested we table it and take it off consent until it is discussed. ANDREW MAGEE – Move to Grant the extension for one months time or until our October 6, meeting for further discussion. PAULINA KNIBBE - second. UNANIMOUS

Michaela Moran asked that the town consider buying land adjacent to Great Hill. People have been using these lands as town property already for walking. Michaela noted that it would increase open space. They have a letter of support for the purchase of the two parcels. It would be an asset to the HDC. Andy stated that these are two owners of property one with the home and one with just land to be sold. The sellers are interested in working toward this purchase. They would like to bring this to the CPC and they will need to recommend this purchase to Community Preservation Committee. One of the subject historical homes on the cultural resource list is outside the district.

Peter supports the purchase, it is a nice parcel and the home was built in the 1840's.

OPERATIONAL MINUTE

Steve announced that Saturday is Acton Day. People are urged to park at Nagog and to walk in. He also noted the upcoming Dog Day Jubilee at NARA

Steve reported on the lease from Blue Bird and the church for Sunday parking. We have a draft sub-lease that has been approved by Town Counsel. He feels now the parking issue is behind him and move forward with his lenders,

Steve reported "On the Hill" budget retreat will be held this week. He noted that it is starting early to get more time to put the budget together.

22 applications for Community Outreach Coordinator have been received. A screening committee with be formed on Friday.

Legislation has passed allowing the Town a 20 year lease at the School Street fields.