



Planning Department

RECEIVED & FILED  
DATE *March 2 2004*  
*C. Boer*  
TOWN CLERK, ACTON

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**AMENDMENT #1  
OF DECISION**

#02-09

**Robbins Mill Estates**

Definitive Subdivision  
and

Planned Conservation Residential Community (PCRC) Special Permit

March 1, 2004

This is an amendment by the Planning Board (hereinafter the Board) of its decision issued to Liberty Trust, c/o Charles R. and Charlotte Dexter (the Applicant) filed with the Town Clerk on August 27, 2002 (hereinafter the Original Decision).

This amendment is in response to the request on behalf of the Applicant by Daniel J. Bailey III of Rackemann, Sawyer & Brewster, Counsellors at Law, for an amendment of the Original Decision to delete sections and references that pertain to common land access from Log Hill Road in Carlisle.

The Board considered the request at its regular meeting on February 24, 2004. Board members Edwin F. Pearson (Vice Chairman), Patrick E. Halm, Hartley E. Millett, Gregory E. Niemyski, and Associate member Stacy Rogers were present. Chairman Lauren S. Rosenzweig stepped aside due a potential conflict of interest as an abutter to Robbins Mill Estates. The presiding chairman appointed associate member Stacy Rogers to sit on the Board for the purpose of acting on the decision modification request. The minutes of the meeting and submissions, on which this decision is based upon, may be referred to in the Office of the Town Clerk or in the Acton Planning Department.

**1 EXHIBITS**

A letter from Daniel J. Bailey III of Rackemann, Sawyer & Brewster, Counsellors at Law, dated February 6, 2004.

**2 FINDINGS AND CONCLUSIONS**

- 2.1 The subject of the requested amendment affects access to the common land. The common land is a creation under the Planned Conservation Residential Community (PCRC) Special Permit aspect of the Original Decision.
- 2.2 The Original Decision, section 3.4.6, provides notice that the Board may modify or amend the Plan and the terms and conditions of the Original Decision with or without a public

hearing upon the request of the Applicant, his designees or assigns, or upon its own motion. The nature of the requested amendment is minor in nature and does not warrant a public hearing.

**3      BOARD ACTION**

Therefore, at its regular meeting on February 24, 2004 the Board voted unanimously to **APPROVE** the requested amendment by deleting from the Original Decision the following sections:

Finding 2.10,  
Plan Modification 3.2.15,  
Condition 3.3.7, and  
the last bullet of Condition 3.3.29.

Except as modified herein, the Original Decision, and the plan approved thereunder, shall remain in effect.

Signed on behalf of the Acton Planning Board



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Roland Bartl, AICP, Town Planner

Copies to:

Applicant	Building Commissioner	Board of Health
Engineering Administrator	Municipal Properties Director	Town Clerk
Natural Resource Director	Town Manager	Fire Chief
Town Assessor	Historical Commission	

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