



ACTON PLANNING BOARD

Minutes of Meeting October 18, 2016 Acton Town Hall Room 204

Planning Board members attending: Ray Yacouby, Chair; Derrick Chin (Vice Chair); Jeff Clymer; Michael Dube; Mike Mai; and Bharat Shah.

Also present: Roland Bartl, Planning Director, Katelyn Huffman, Planning Board Secretary.

Mr. Yacouby opened the meeting at 7:30 pm.

I. Citizens' Concerns

Ms. Daniell alerted the Board to her concerns regarding improper drainage at Roosevelt Drive, a new subdivision in town. She explained that the water runs off and floods her property. She asked the Board to consider holding onto the bond of the development until the problem was properly fixed. The Board agreed to discuss the matter further during their November 1, 2016 meeting.

II. Reports

Not applicable.

III. Consent Agenda

A. Minutes

Mr. Clymer moved that the minutes of June 7, 2016 be approved as written. The motion carried unanimously.

B. Minutes

Mr. Clymer moved that the minutes of September 6, 2016 be approved as amended. The motion carried by a majority vote. Mr. Yacouby abstained due to absence during the meeting.

IV. Public Meeting – 19 Spring Hill Road – Preliminary Subdivision

Mr. Yacouby opened the public hearing at 7:45 PM. Mr. Richard Harrington gave an overview of the proposed subdivision. He cited all alterations to the plan from its previously submitted preliminary subdivision plan, and cited all of the newly proposed public benefits that the subdivision and applicant would offer, if approved.

Mr. Yacouby opened the floor to citizens' concerns.

Mr. John Appelman, of 4 Spring Hill Road urged the Board to disapprove the subdivision and to focus on the fact that the road is already a nonconforming road and oversized, and that adding a subdivision would only add to its nonconformity. He also expressed concern about emergency vehicle access in case of fire, or other emergencies.

The Board discussed the proposed public benefits that would allow the waiver to be granted. The Board felt that there may not be sufficient public benefit to grant the waiver.

Mr. Chin asked if there were other lots that were subdivided in the area.

Mr. Bartl explained that there was one before the 500 foot street line. No others.

Mr. Bob Callahan of 7 Spring Hill Road reiterated that there was no public benefit directly related to the subdivision and that accepting the application would set a precedent in regards to public benefit.

Ms. Jill Callahan of 7 Spring Hill Road voiced concern over the available well water in the area. She informed the Board that with the current density of residences, the wells have gone dry in the summer. She felt that if more residences were built it would only add to the problem and that the aquifer would dry up.

Mr. James Crowley, the applicant, spoke on behalf of his proposal. He voiced his opinion on the public benefits, the overall design, and informed the abutters and audience that he appreciated their concern and would take it into consideration moving forward.

Mr. Fred Seward, of Pope Road, voiced his love of Camp Acton as it is, and told the Board that he wished it would stay untouched and protected.

Mr. Yacouby closed the public meeting and the Board deliberated.

Mr. Shah made a motion to grant the preliminary plan with the condition that the applicant prepares a cogent legal argument; that either the waiver is not applicable here, or if needed, that granting a waiver is in the public interest, in the meaning as it is in the subdivision rules, as cited by Roland Bartl, Planning Director.

Mr. Mai seconded the motion.

Mr. Mai, Mr. Shah, Mr. Chin and Mr. Yacouby voted aye (4 ayes)
Mr. Clymer and Mr. Dube voted nay (2 nays)

The vote passed by a simple majority.

V. Brookside Shops Letter of Credit

Mr. Bartl informed the Board that all requirements for the Bond Release for Brookside Shops had been met and proven, and that the Board should go over the material and vote on whether or not to release the bond.

Mr. Chin asked how much the bond was for.

Mr. Bartl explained that it was for \$11,700.00

Mr. Clymer moved to release the \$11,700.00 bond for Brookside Shops.

Mr. Dube seconded the motion.

Mr. Clymer, Mr. Dube, Mr. Yacouby, Mr. Mai, Mr. Shah voted aye (5 ayes).

Mr. Chin voted nay (1 nay)

The vote carried by a super majority.

Jeff Clymer moved to close the Planning Board meeting. The motion was seconded by Mr. Shah. All in favor.

The meeting was adjourned at 9:45 pm.

Respectfully Submitted,
Katelyn Huffman
Planning Board Secretary