



ACTON PLANNING BOARD

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Minutes of Meeting
September 28, 2004

DATE OCT. 13, 2004

Acton Memorial Library Maura M. Haberman
ASST. TOWN CLERK, ACTON

Planning Board members Ms. Lauren Rosenzweig (Chairman), Mr. Hart Millet, Mr. Greg Niemyski, Mr. Christopher Schaffner, Ms. Stacy Rogers, Mr. William King, Mr. Gary Sullivan and Associate Ruth Martin were in attendance. Also

present were Town Planner, Mr. Roland Bartl, and Planning Board Secretary Ms. Maura Haberman. Associate Mr. Edmund Starzec was absent.

Ms. Rosenzweig called the meeting to order at 7:34 p.m.

I. Citizens Concerns:

There were no citizen concerns.

II. Consent Agenda

A. Minutes of 9/14/04.

B. Dunham Park Subdivision Approval/OSD Special Permit: To allow an increase in the maximum sale price of the affordable unit to \$150,000 from original \$105,000 limit.

Motion by Mr. Niemyski to approve consent agenda as written, seconded by Mr. Sullivan passed unanimously.

III. Reports

CPC: Mr. Bartl reported a Public Hearing was held 9/23. The 2005 CP Plan contains submission information. Applications must be submitted to the Planning Department by 11/12/04. Potential projects addressed were: Leary Field; Historical Society for collection storage; Iron Works Farm restoration; staffing for the Bruce Freeman Rail Trail; more emphasis on open space funding.

OLEC: Mr. Millett reported they had met for the first time since June. They are awaiting direction from the Board of Selectmen.

MAGIC: Mr. King reported that materials for the upcoming 10/14 legislative breakfast meeting had been distributed to the Board.

EDC: Ms. Rosenzweig reported that they have not met.

EDIC: Ms. Rosenzweig will check with EDIC for updated information.

OTHER: Wastewater Asset Project (DEOA Project) has an upcoming meeting on Oct. 13. This workshop will be held in Westboro.

IV. Ellsworth Village (continuation of 9/14 meeting)

Mr. James Fenton of Authentic Homes addressed the Board. Brabrook Road Abutters were present. Mr. Fenton stated that for over a year he has had State approval for a 40B project with 60 units. He has worked with the neighborhood reducing the project in half. The only stumbling block is the disagreement over access. Mr. Fenton stressed his need for primary access through Brabrook Road, which the neighborhood opposes. He seeks guidance from the Planning Board. Ms. Rogers reported she liked the efforts which have been made and felt that Brabrook is the only access and no further negotiation with another access is needed. She would like to see pedestrian access to shops and a decrease in grade on Pope Road. Mr. Niemyski found the Brabrook access sufficient and would like separate fire and pedestrian access. He commented that the site is good for 30 homes and suggested a possibility adding some curves in Brabrook Road to slow traffic. Mr. Schaffner felt that pedestrian access is critical and would like to see two street accesses. Mr. Sullivan and Ms. Martin both felt Brabrook is an easy and natural access. Mr. King did not feel the site was a natural fit and would be in favor of a Great Road access. He commented that the cul-de-sac was permanent at the end of Brabrook from some research he did. Ms. Rosenzweig said that Brabrook is shown on paper as a street extension beyond the cul-de-sac and the purchaser of the land should have the right to use it for access. She is concerned about the tree buffer with a 40B project and would like 33 units, traffic mitigation, a sidewalk, and fire access. A citizen comment was made about Graham Nolan's land if that too may be developed with traffic flow from Brabrook, and if the Planning Board

can protect against this. Mr. Bartl responded that the Noland's property has wetlands, and that it has plenty of frontage on Esterbrook Road for access. Ms. Erna Brandon, Flagg Road, recalls that the cul-de-sac had been closed by the Board of Selectman when Mr. Gerhart was on the Board of Selectmen in the late 60's early 70's. Mr. Bartl will follow-up on this information.

Ms. Rosenzweig stated she would take a motion for a non-binding vote in favor of giving the 33-unit, Senior Residence proposal access off of Brabrook Road with emergency and pedestrian access to Great Road. Mr. Millett moved and Mr. Niemyski seconded: VOTE: 5(y)-1(n)-1(abstention)

V. Sylvia Place Project Briefing

Mr. Gaboury, Mosaic Partners, LLC. and Mr. Kaufmann presented a summary their upcoming Sylvia Place 40B project. There were no abutters present. Sylvia Place is a total of four structures, each containing two town homes. Two of these units will be affordable housing. Each townhouse will have three-bedrooms, 2.5 baths and a garage. There is a 100' buffer in front and 180' in back. The Rail Trail is at the end of Sylvia allowing for direct access. They reported to have met with the neighbors many times and are working on an easement to Fletcher but having difficulty with owner. Mr. Schaffner encouraged the use of Energy Star.

Mr. Gaboury plans to achieve Energy Star homes for the affordable units at a minimum. Mr. Bartl would like to see the garages deemphasized. A public meeting will be held on Oct 27 and meeting with the Board of Selectmen will be held on Nov. 1. Filing will be with the ZBA on Oct. 21.

VI. DECISION—"Sweeney Farm Lane" Subdivision

MOTION Mr. Neimyski moved to approve Decision 04-01 seconded by Mr. Millett. VOTE: 7-0-0

VII. Brent Regor, Acton Board of Health, Information about Wastewater Management

Mr. Regor briefed the Board with possible solutions and priorities to wastewater discharge. A citizens committee is in charge of the project. At a July 15 meeting, there were 15 need areas ranked by priority. There are four phases in this project and they are steadily moving forward with a wrap-up of Phase I with at Public Meeting on 11/16. The first priority is the Powdermill Plaza which is served by a small but failing wastewater facility that discharges into the Assabet. Work is being done to get the wastewater hooked to sewers. West Acton Center-second highest priority, followed by East Acton where floodplain and wetlands are an issue. There are large systems in failure. Other areas include Spencer, Tuttle, Flint, Dover Heights, Brucewood Estates, and Indian Village. They will soon start Phase II, exploration of sites. North Acton is a lower priority. Currently the Health Department receives 100-150 applications for septic system replacements each year.

VIII. Special Fall Town Meeting Article Discussion

Briefing for the Planning Board for the upcoming Zoning Hearing on October 12. The Special Town Meeting Zoning Articles result from Board of Selectmen negotiations with a land owner (Yin Peet) for use of land in N. Acton as an art center. A public/private land swap is involved. Ms. Peet has been working with the Board of Selectmen and Town Counsel for 1.5 years. Ms. Peet would like to do her art work (60% granite, 10% steel, 30% performance art), teach students, help with the NARA Art Camp, and would like an artist-in-residency program (1-2 artists per year) while enhancing the culture exchange in Acton. The public would be welcome to the sculpture park and a green fence would be placed around the boundary. The land includes in the N.A. quarry. Mr. Ashton, Board of Selectman, informed the Board of the benefits: safety issues (i.e. cleanup of quarry, end parties); cultural and educational opportunity to the community; getting an easement for water rights from quarry; more open space land for the Town; and doesn't feel the wildlife will be disrupted and trails will continue. The quarry would benefit NARA pond by replenishment water. The Board suggested to Ms. Peet that she have more information available to the public before Town Meeting. Ms. Elaine Sizzler (Acton-Boxboro Arts & Cultural Council) said there are a lot of misconceptions with the public. She came in support of Ms. Peet. Ms. Jeanne Butler would like to see the sculpture and art center in the community.

IX. Bellows Farm Bond Taking

Documentation was given to Board members regarding incomplete work on Davis Road with communications to Northwest Development. A Motion to take the Bond was made by Mr. Schaffner, seconded by Neimyski. VOTE: 6-0 passed unanimously.