



ACTON PLANNING BOARD

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Minutes of Meeting
September 14, 2004
Acton Memorial Library

DATE SEP. 29 2004

Maura Haberman
ASST. TOWN CLERK, ACTON

Planning Board members Ms. Lauren Rosenzweig (Chairman), 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. Mr. Hart Millett and Mr. Edmund Starzec were unable to attend.

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

I. Citizens Concerns:

Mr. Tom Lemire addressed the Board regarding A-Frame signage in Acton. In specific, he mentioned the obstructed view of roadway traffic due to an A-Frame sign placed at the Duncan Donuts/Mobile station in East Acton Village. Ms. Rosenzweig recommended that citizen complaints regarding signage should start with a letter of concern/complaint to Mr. Gary Rhodes, Building Department.

II. Consent Agenda

Minutes of 8/10/04 were approved unanimously as written.

III. Reports

CPC: Mr. Bartl attended a meeting on 9/9/04. He reported that the Committee finalized the 2005 CPC Plan and the Plan has been distributed and posted on the web. On 9/23/04 an informational public hearing will be held on the possibilities and resources of the Town regarding community preservation. Mr. King reported that he read a news article regarding the Friends of Leary Field who are seeking funding through the schools, private donation, and CPC, each in the amount of \$125,000.

OLAC: Mr. Millett was not present to report.

MAGIC: Mr. King reported that he attended a meeting in Boxboro on 9/9/04 on Smart Growth Overlay Districts (Ch. 40R). MAPC is seeking Acton's input if this initiative is something Acton would consider. Mr. King reported a breakdown on surrounding towns on their position and interest on whether they would consider Ch. 40R.

EDC: Ms. Rosenzweig had nothing to report at this time as they have not met.

EDIC: Ms. Rosenzweig reported the Selectmen have appointed a Board of Directors of the EDIC. They have met a couple of times.

OTHER: Ms. Rosenzweig and Ms. Tavernier will be doing a presentation on affordable housing to the Andover League of Woman's Voters on September 30.

IV. Ellsworth Village

In this Informational meeting Mr. George Dimakarakos, Stamski and McNary and Mr. James Fenton, Authentic Homes, presented three conceptual plans for a Sr. Residence Development in East Acton area of Brabrook Road. The three plans were:

- A. Senior Residence Concept A, SP under Zoning—33 Units Total—10% (3 units) affordable
- B. Senior Residence Concept B, SP under Zoning—42 Units Total—15% (6 units) affordable
- C. Comprehensive Permit Concept, Chapter 40B—60 Units Total—25% (15 units) affordable

Mr. Dimakarakos informed the Board that a neighborhood meeting was held and the neighbors least liked the Comprehensive Permit Concept Plan (40B). Mr. Dimakarakos stated that access issues are where Fenton and the neighbors strongly disagree. Mr. Dimakarakos and Mr. Fenton are seeking the Planning Board's guidance regarding access. For safety and engineering reasons, access through Brabrook Road is the preferred choice, he stated. The residents of Brabrook and Flagg Road would like to see access directly to Great Road. Mr. Dimakarakos

informed the board that access to Great Road would be through a commercial site which would combine a mix of loading, retail, and residential traffic on a small driveway with a grade up to 15%. Significant safety concerns during winter months were discussed. Mr. Dimakarakos informed the Board that Brabrook Road has a grade of approx. 6%. Mr. Dimakarakos said that safety improvements can be made on Brabrook Road and Pope Road that would benefit the users of both roads whereas mitigation potential is very limited on Great Road. Mr. Fenton informed the Board that he is hoping to work out his plan with all parties.

Board Comments:

Mr. Sullivan inquired how many houses would be impacted by a Brabrook access. There are 17 houses on Brabrook and 7 on Flagg Rd. Mr. Niemyski questioned if a pedestrian walkway easement would be made to the shopping center. Mr. Dimakarakos said there is a potential for this and Mr. Fenton has talked with Mr. Tidman (Conservation) about this. Ms. Roger's said she also would like a pedestrian access, and that she seen the site and said that the driveway at Great Road is very steep. Mr. Schaffner said that he would like to see both a Great Road and Brabrook access, so people have alternative access to Ellsworth. He prefers homes built without the garage protruding in front and would like to see the building plans. Suggestions of a resident parking area were brought up in place of garages. Mr. Fenton said the homes are a Cape Cod Colonial Style, 1 ½ stories. He also has experienced the need for attached garages from prior development. Mr. King suggested a plan with two cul-de-sacs. Mr. Fenton stated that he is willing to work with neighbors, but needs to make up his mind where he would like to go with this. He would like to file an application within the next 45 days. Ms. Rosenzweig felt a very strong need in town to have affordable senior housing. Her bias is to add units, and felt from her own personal experience that it wouldn't impact traffic too much. Mr. Fenton is meeting with the Town Engineer this week to look over possible improvements on Pope Road.

Open to audience:

Mr. Tom Lemire of 5 Brabrook stated that the neighbors agree with Plan A except he believes that access through Brabrook is dangerous. He stated that Brabrook and Flagg is a neighborhood full of kids and if you add more cars, he feels it would affect the neighborhood. Mr. Lemire likes the Great Road access location and feels it is better than Brabrook. Ms. Linda Chapin, 4 Brabrook, commented that it is hard to grasp this neighborhood without seeing it. She said that the children play in the roads. She feels that the impact would be as much on Brabrook as the access to Great Road. Mr. Dimakarakos responded that the grade makes a difference. Mr. Vrablik, 11 Brabrook, feels that Mr. Fenton has all the equipment to fix grading. He has looked at over-55 homes. He suggested a three-way stop sign be placed at Brabrook and Pope and that the current residents of Brabrook need to drive slower. Mr. Chapin, 4 Brabrook, said that the business access on Great Road has two accesses. He also said that Great Road is a steep hill for the seniors. He showed the board a plan with grade changes he completed. Board members will go to visit the site individually. Ellsworth Village has been added to the September 28 meeting agenda for further discussion.

V. Public Hearing Continuance: Apple Valley Homes, Inc. "Sweeney Farm Lane"

Mr. Barbardoro, Apple Valley Homes, Inc. and Mr. Donohoe, Acton Survey and Engineering presented to the Board revised plans for Sweeney Farm Lane. No citizens were present. A sidewalk donation was offered to the town in lieu of constructing one onsite. Engineering had looked at Willow Street and there are three trees which create an issue for a sidewalk. Mr. Barbardoro reported he has been working with Mrs. Fandel, an abutter, regarding her input of where she wants to place trees for a buffer. Mr. Bartl would like to see trees on plan. For clarification, Mr. Bartl said typically on subdivision plans, trees are not usually on the plans because there is no way to keep up enforcement once completed. Mr. King had visited the site and noticed a lot of deer activity and also reported that the land is very wet. Mr. Donohoe reported that ConCom has stipulated field maintenance in the conservation easement shown on the plan. The square footage of homes to be built are 3,000 to 3,500 sq. ft., most custom. Mr. Sullivan inquired about the large trees at the entrance of Sweeny. Mr. Barbardoro said that he would keep as many trees as possible. Mr. Bartl advised the board to be aware of the revised "proof plan" received Sept. 10. Lot 3 would be tight. As a result, the home on that lot would be narrow. Ms. Rosenzweig inquired about the status of the resident in Lot 5. Mr. Barbardoro

reported that she has moved out and the house will sell for approximately \$465,000 after updates including septic system and home made to code. This home is approximately 3,500 – 4,000 sq. ft. Mr. Niemyski moved that a decision be drafted for approval with conditions, seconded by Mr. Schaffner including a condition that buffer trees be put on plan subject to alterations between neighbor and applicant. Motion was passed unanimously 6-0. Ms. Rosenzweig moved to closed public hearing. VOTE: Motion to close hearing passed unanimously 6-0.

VI. Senior Residence Special Permit Rules and Regulations

Mr. Schaffner moved to approve Sr. Rules and Regulations, seconded by Ms. Rogers. Ms. Alexander, Assistant Town Planner wrote the Rules which are modeled after the existing PCRC Rules and Regulations. The Senior Resident Rules and Regulations lay down the application process and the materials that the applicant needs to bring before the Board. There are a few things different from a PCRC, such as the affordable housing component. Comments from the Board: Mr. King found a “may” where it should be a “shall” but couldn’t recall where in the document he saw the error. He said he will search and follow-up on the error location. Mr. Niemyski asked why Section 3.6.9 Market Study would need to be included and questioned the word “accurate” in connection with “estimates” (Section 3.15.2). After discussion, Mr. Niemyski moved to adopt the Senior Residence Special Permit Rules and Regulations making corrections, as noted and deleting Section 3.6.9 and the word “accurate” from Section 3.15.2, seconded by Mr. Sullivan. Vote: Motion to adopt as amended passed unanimously 6-0

Discussion:

A) Comprehensive Water Resource Management Plan (CWRMP): Recharge areas were discussed including Wetherbee, South Acton to put waste water/recharge into the ground as no more water is allowed to be placed in the Assabet. Ms. Rosenzweig gave a background of CWRMP. She reported that after doing the Ft. Pond sewer project, the state said that the town as a whole needs to come up with a plan for the future with all of its wastewater. There are varying levels addressing the problems: i.e. perform a study, sewer the whole town and everything in between. Woodward and Curren are the consultant for the town. Some developments are in bad failure (Audubon Hill--non compliance with DEP, and Dover Heights). The Water District has concern about some land that is being looked at for a sewer leaching field. The Planning Board has a commentary role in all this. Priority areas service have been identified and need to be addressed along with areas of land for disposal to meet these priorities. Ms. Rosenzweig will be getting further information from Mr. Regor at a meeting this week. Mr. Niemyski cautioned the Board that all marginal land will be built once sewer lines are in. Mr. King said he had experienced this as a resident of a town where all marginal land was developed once sewage was put in. Mr. Bartl noted that in Acton, land got developed without sewers. Currently there is only one municipal treatment facility in Acton in addition to several private treatment facilities. The Health Department would like a plan for the future. The Board would like to meet with Mr. Regor to learn more about priorities and where the land is.

B) Special Fall Town Meeting, Oct. 18: Zoning article from negotiations with a land owner for town land, for use as an art center. A public/private landswap is involved. The private land includes the North Acton Quarry. Access to the property will be on Quarry Road once the swap is approved. The Warrant is closed. The Planning Board is the assigned Board under the law to hold a public hearing. The Public Hearing will be after warrant is printed, scheduled for Oct. 12.

C) Senate Bill 2247—Local options to allow Board member absence during hearings. Separate individual responses will be sent from Board members.

The meeting adjourned at 10:15 p.m.