ACTON PLANNING BOARD **DRAFT**

Minutes of Meeting
March 22, 2005
Acton Memorial Library

Planning Board members Ms. Lauren Rosenzweig (Chairman), Mr. Greg Niemyski (Vice Chair), Mr. Christopher Schaffner (Clerk), Ms. Stacy Rogers, Mr. William King and associate Mr. Edmund Starzec. Also present were Town Planner, Mr. Roland Bartl and Planning Board Secretary, Ms. Kim DelNigro. Absent were Mr. Gary Sullivan, Barbara Epstein and Ruth Martin.

Ms. Rosenzweig called the meeting to order at 7:39 PM.

I. Citizens Concerns

Selectman Peter Ashton, representing Life After NESWC committee (LAN), presented an Options Presentation Packet with a quick overview on what the residences and Town will be considering between now and the June 13, 2005 Special Town Meeting. LAN is trying to meet with other committees and Town groups for a quick overview. In April LAN will have more detail and be ready for questions, concerns, comments and discussions. Mr. Ashton noted that there are two decisions to make. The first being how we would dispose of trash and the second is what to do with the landfill.

Trash disposal options:
A) Operate the transfer station at only two days a week with a $150.00 sticker fee for a household per year. The land area available is dependent upon landfill closure decision.
B) Curbside pick-up for $250. – 275.00 per household per year for full service from a commercial waste hauler once a week. The transfer station would be closed with reuse options being, for example, additional storage for town departments or indoor recreation.

Landfill Capping Options:
The State will require us to cap the landfill. Five years ago, the DEP standards were met but today there are newer standards, and DEP has not signed off.
A) The town could cap the landfill - design cost is +/- $300,000. Using revenues from C&D and low level hazardous soil collections as capping material, the net cost of construction is +/- $2.2 million.
B) Same as above, except the town would use clean capping materials for a net cost of +/-$3.0 – 3.5 million.
C) Implement the Acton Business Center proposal including a Home Depot Store and a supermarket for a net gain to the Town of $1.5 million. The developer will cap the landfill. Mr. Ashton feels that this decision should be brought to the town and it will make a significant change to Route 2. The town and Planning Board need to weigh all the zoning information. Ms. Rosenzweig asked Mr. Ashton who to forward questions to. Mr. Ashton has asked to continue on the next Planning Board meeting agenda April 12, 2005 at 9 PM instead.

II. Consent Agenda – Minutes 2/22/05 and 3/08/05

The minutes of 2/22/05 and 3/08/05 were approved unanimously.

III. Robbins Mill – Vote Initial Bond Amount (revisited)

Ms. Rosenzweig recused herself from participating in the discussion as an abutter to Robbins Mill. Mr. Niemyski moved to vote a bond amount of $1,158,700. Mr. Schaffner 2nd and all voted in favor.

IV. Reports

CPC: Ms. Rogers reported they are talking about the recommended projects and gathering information for the presentation at the Annual Town Meeting.

EDC: Ms. Rosenzweig said the EDC has discussed the LAN options presented earlier in this meeting, Chapter 40B housing projects, and the EDC planning to analyze commercial and industrial property information from the assessor's database.

MAGIC: Mr. King reported that Littleton did not attend the last MAGIC meeting. The following issues were discussed: subdivision concerns, transportation priorities, chapter 40B projects, and church closings.

V. Ellsworth Village – Public Hearing Continuation from 1/25/05 & 2/22/05

Ms. Rosenzweig opened the hearing, acknowledged the absence of Planning Board members, noted the agreement by the applicant to extend the decision deadline to April 28, 2005, and then moved immediately to close the hearing to be continued on April 12, 2005 at 7:45 pm Room 204 at the Town Hall; Mr. Niemyski 2nd; all in favor.

VI. Vote Recommendations for Town Meeting (revisited)

Ms. Rosenzweig expressed concern with the Board's latest draft article on ham radio towers, especially its lack of a height limit. She believes there is flexibility in Federal and Sate law for the local authority to consider aesthetics, health and safety. Ms. Rosenzweig also stated that a tower should not be in plain view of an abutter. Mr. Niemyski noted that Concord and Harvard have zoning exemptions for ham radio towers.

Reviewing the draft recommendation, Mr. Schaffer and Mr. Niemyski suggested to remove the first sentence in the second to last paragraph and to strike out last paragraph. Mr. Niemyski moved to issue the recommendation as amended. Ms. Rogers 2nd. All, except Ms. Rosenzweig, voted in favor.

VII. Attendance and Quorum Rules

Ms. Rosenzweig reminded everyone about the need for timely and consistent attendance of meetings and hearings, and the need to maintain quorum requirements during subdivision and special permit proceedings. She requested that any Board member with legal questions would go through the Chairperson or Roland instead of contacting Town Counsel, and that any concerns or issues that members may have be placed on the meeting agenda, instead of discussing it through email.

VIII. Next Year's Priorities (revisited)

Ms. Rosenzweig stated important issues for the Board to work on are to implement the "To Live in Acton" Plan for affordable housing, revisit Kelley's Corner, storm water drainage, and landfill zoning issues. Mr. Schaffer and Ms. Rosenzweig stated that Life After NESWC and landfill zoning is a priority given the time frame of June 13 for a Special Town Meeting Mr. Niemyski stated that the Master Plan is from 1998, and although an update may not happen soon due to funding constraints prioritizing matters is needed.

Additional Item – Woodlands project revise

Developer has amended 40B application seeking approval on Lot #4 of a Town House development. A conceptual development scheme was submitted. Developer would like to approval later as a senior housing development under local zoning replacing the 40B permit for this portion of the Woodlands project. Mr. Schaffner noted that there would be no open space left and that the density is higher which is not keeping up with Acton Master Plan. Mr. King

stated that this will be a major impact and that the developer should build a new fire station in North Acton, not just contribute. Ms. Rosenzweig was concerned with having a new fire and police services in that area for a swift response time. Mr. King also mentioned that in they need to enhance the existing plan to balance open spaces between Acton and Westford.

Mr. Niemyski moved to issue a letter to the Board of Appeals stating that the proposed additional development exacerbates the project's inconsistency with the Master Plan, that the open space within the project being mostly in Westford is unevenly distributed to Acton's disadvantage, and that the developer should make significant contribution towards a new fire station in North Acton. Mr. Schaffner 2nd, and all voted in favor.

The meeting adjourned at 9:15 PM.