



Acton Historic District Commission

472 Main Street
Acton, MA. 01720

March 1, 2009

By Mail

Planning Board
Town of Acton
472 Main Street
Acton, MA 01720

Re: Nancy Tavernier Letter to Planning Board dated February 3, 2009

Dear Members of the Board:

On behalf of the Historic District Commission, I write to you with a partial response to the referenced letter, for your records.

On page two of her letter, Ms. Tavernier offers conclusions from her observations of Historic District Commission meetings that are inaccurate, perhaps because she only started attending our meetings in October 2008 and the village zoning FAR issues arose well beforehand. First, she states it is her "opinion" that the FAR "revision" arose out of our concern with a proposed residential development at 53 River Street and a proposed development in West Acton. This is not correct. Our concerns regarding the maximum FAR in the South and West Acton Historic District Areas (HDAs) were not tied to any specific parcel or project. As indicated by our request to Mr. Bartl last summer for a determination of the FAR maximum for residential only projects, we were motivated by a concern to determine the extent of our general jurisdiction going forward under our bylaw, given the contradiction we perceive between (1) the legislative pre-enactment history and letter of the law, and (2) subsequent instances of enforcement. Second, she makes further misstatements in that paragraph about our intent that ignore the fact we raised the FAR matter to clarify our jurisdiction because the zoning bylaw impacts it. See Ch. P., par. 8.2.

Sincerely,


Brian Bendig, Chair
Historic District Commission

Cc: Nancy Tavernier, 35 Mohawk Drive, Acton, MA 01720
Historic District Commission (by email)