FYI

RECEIVED
JAN 21 2010
TOWN CLERK, ACTON

ACTON PLANNING BOARD

Minutes of Meeting
December 15, 2009
Acton Town Hall, Faulkner Room (204)

Planning Board members Mr. Ryan Bettez (Chairman), Mr. Jeff Clymer (Vice), Ray Yacouby (Clerk), Mr. Greg Niemyski, Mr. Roland Bourdon, Ms. Leigh Davis-Honn, Margaret Woolley Busse, and associate member Kim Montella attended. Also present was Town Planner, Mr. Roland Bartl and Planning Board Secretary, Kim DelNigro.

Meeting was called to order at 7:30 PM.

I. Citizens Concerns

None raised.

II. Consent Agenda

Consent Item A. Minutes of 12/1/09.
Consent Item B. Plan Modification – Grassy Pond Place was pulled for information inquiry. Mr. Bartl explained it was for a minor adjustment of the sideline radius, only the record plan will get changed.
Mr. Niemyski moved to approve the consent agenda; Mr. Yacouby 2nd; all in favor.

III. Reports

CPC: Mr. Bourdon reported the committee has 9 CPA application projects under review. At this time, they have heard the Windsor Building, Town Hall Windows and 468 Main Street Applications.
Open Space: Mr. Clymer stated their discussion was regarding the Chapter 61A agenda item.
WRAC: Mr. Clymer reported the next committee meeting will be December 23.
DRB: Mr. Bettez stated the committee needs a PB Rep. Mrs. Busse stated she will think about it and get back to Mr. Bettez.
CCP: Mr. Bettez stated a committee is being created.
Zoning Articles: Mr. Bartl discussed the FEMA's revised Flood Insurance Rate Maps for Acton will become effective on June 4, 2010. Prior to the date, Acton is required to adopt the new Flood Maps and show evidence that our floodplain management regulations meet the standards of the National Flood Insurance Program, which will be brought to the Annual Town Meeting in April.
2009 Annual Report: Mr. Bartl discussed the document, had incorporated Mr. Niemyski's comments and asked for further comments by Monday.

IV. Public Hearing – Subdivision Rules & Regulations – Proposed Amendments

Mr. Bettez opened the public hearing at 7:45PM. Board members reviewed the proposed amendments to the subdivision rules and regulations and recommended minor revisions. There were no comments from the public. The amendments were broken down into groups:
Group A – Plan/Application Filing Requirements: Mr. Yacouby moved to approve the changes, Mr. Clymer 2nd ; all in favor.
Group B - Secondary Street Access: Mr. Yacouby moved to approve the changes, Mr. Bourdon 2nd; Five in favor, two abstentions.

Group C – Street Name Signs, Group D – 4-way intersections, Group E – Sight Easements, Group F - Sending Abutters Notices: Mr. Niemyski moved to approve the changes, Mr. Davis-Honn 2nd; all in favor.
Group G – Red-line Changes: Mr. Niemyski moved to approve the amended with added change to add in Section 11.4.4 that the Town Engineer and Town Planner need to sign off, Mr. Clymer 2nd, all in favor.
Group H – Landscaping/Plant Stock/Planting Details: Mr. Niemyski moved to adopt the changes, Mr. Bourdon 2nd; all in favor.
The motion was made to close the public hearing. The motion was seconded and passed unanimously.

V. <u>Open Meeting Neighborhood Progress Report – Ann Sussman</u>

Mrs. Ann Sussman gave a presentation of the project. Mrs. Sussman reported on the grant applications that were made and the process and effort involved with the project. She discussed the Open Neighborhood meetings, Tufts University's Second Life 3-D computer simulation tool and the community participation events that were held. It has drawn in many individuals and Acton citizens. Mrs. Sussman stated the program has been nominated for a gold star at the state level. The goal is to try to apply the lessons learned to daily life, finalize the visioning plan for Kelley's Corner and incorporate it into the Comprehensive Community Plan (CCP) to create a new Master Plan for Acton. The closing phase of the project will be in the spring with a final report and public meeting.
Board members thanked Mrs. Sussman for her time and effort on her presentation.

VI. <u>Chapter 61A – Stow/Martin Street Property – Follow Up Questions/Revisit</u>

Board members reviewed and discussed the documents. Board members discussed the suggested value of the land, the Chapter 61A notice to the Town, and the configuration of lots shown on the conceptual subdivision plan having frontage and buildable portions separated by extensive wetlands and Mill Pond. Mr. Doug Muir Esq., representative of the homeowners, stated the homeowners has signed a purchase and sales agreement with the developer, that the subdivision plan was approval in his opinion, and that he believes, unlike Town Counsel, that the Chapter 61A Notice to the Town is valid and complies with the law. He stated that as far as he is concerned the clock is ticking on the 120 day period for the Town to act and the time will expire soon. Board members discussed the options and possibilities. Questions:

- Is the conceptual subdivision plan valid?
- Would the plan be approved despite the lots crossing over wetlands?
- Would easements be needed?

Board members decided to get the sense of the board and take a straw vote.
Mr. Niemyski motioned to make a straw vote to deny the conceptual subdivision plan, 2nd; all in favor.

Motion was made to close the meeting, 2nd; all in favor; meeting adjourned at about 9:50 PM.