



## ACTON ZONING BOARD OF APPEALS

### Minutes of Meeting

February 21, 2019

7:30PM

Acton Town Hall

472 Main Street

Room 204

Zoning Board of Appeal members in attendance: Ken Kozik, Adam Hoffman, Emilie Ying

Absent: Suzanne Buckmelter

Also present: Kristen Guichard, Senior Town Planner; Vivian Birchall, Administrative Assistant.

### 1. Opening

Chair, Ken Kozik opened the meeting at 7:30 p.m.

### 2. Regular Business

#### Approval of Meeting Minutes

The meeting minutes from the Acton Zoning Board of Appeals Minutes of the February 4, 2019 meeting were reviewed and approved by a vote of 3-0, with no amendments.

The meeting minutes from the Acton Zoning Board of Appeals Minutes of the February 13, 2019 meeting were reviewed and approved by a vote of 3-0, with no amendments.

### 3. Special Business

#### A. Hearing on Application by Aria at Laurel Hill, LLC for Amendment for comprehensive permit for Avalon Acton Phase II, 100 Avalon Drive, Acton, MA 01720

Avalon Bay Communities Inc, on behalf of Aria at Laurel Hill, LLC (the applicant), submitted an enclosed Comprehensive Permit Application and supporting documentation to construct a second phase at Avalon Acton consisting of 86 apartment homes, of which 22 will be affordable. The application was filed in accordance to section 4.2 of the Town of Acton Zoning Board of Appeals Rules and Regulations for Comprehensive Permits.

For application details, visit <http://doc.acton-ma.gov/dsweb/View/Collection-10686>

Scott Dale and Michela DeSantis from Avalon Bay Communities Inc, made a presentation about the location, infrastructure, sustainability features, timeline and expectations of the proposed development. They also highlighted legal obligations to the Town, including public safety fees, inspection fees and how the Town will participate in the 40B process.

The presenters also informed the Board that they would review all comments from the staff and resolve them.

##### i. Deliberations on Application by Aria at Laurel Hill, LLC

Members of the public raised issues/expressed concerns/expressed support/expressed opposition.

- The Chair of the Dog Park Committee, requested the developer to create open space to cater for dogs.
- A concern was raised by an abutter about the impact of traffic and water drainage in the area, given that the Insulet building additions and proposed Avalon II development are close to each other.
- A member of the community requested the developer comply with the Board of Selectmen's Policy on sustainability, specifically by implementing air sourced heat pumps, and an environmentally friendly, organic landscape management plan.
- A member of the community pointed that she had not seen any notification about the upcoming development. Ms. Guichard, shared the different ways the notifications are sent out, including letters to the abutters, legal ads in the local newspaper, the Town website and through email notifications. She urged all community members to sign up for email alerts from the committees they are interested in.

The Board asked the applicant to follow up with all boards and staff that had submitted comments to the project, and acquire follow up letters stating that all issues have been resolved.

Mr. Hoffman moved to continue the public hearing to March 20<sup>th</sup>, 2019, 7:30PM at Town Hall. The motion was seconded by Ms. Ying. The Board unanimously (3-0), approved the motion.

B. Comprehensive Permit #13-06; Post Office Crossing (Jasmine Circle) LEED/Energy Star Compliance Resolution – Continued from February 13, 2019

Ms. Guichard updated the Board about the process for ensuring the applicant's compliance with the Energy Star Certification process. She informed the Board that the Planning Director, Mr. Bartl had organized a site visit with the Building Commissioner and the developer prepared a spreadsheet showing the difference in dollar amounts to the total of \$5,200 in mitigation payments. A check will be made out to the Acton Community Housing Program to subsidize the cost of making subsidized housing units energy efficient.

The Board asked Planning staff to draft a decision amendment for consideration at their next regularly planned meeting on March 4, 2019 and invite the applicant to attend.

The Zoning Board of Appeals unanimously voted (3-0), to continue the discussing the issue at its next meeting on March 4, 2019, Town Hall, 7:30PM

**4. Adjournment**

At 9:00PM, Mr. Hoffman moved and Ms. Ying seconded to adjourn the meeting.

The motion was approved unanimously.

Items discussed at the meeting: Agenda, Draft 2-4-19 ZBA minutes, Draft 2-13-19 ZBA minutes, Acton Avalon II Application, Floor Plans Documents, Plan Set Documents 1, Plan Set Documents 2, Renderings Documents 1, Renderings Documents 2, ZBA Public Hearing extension, Avalon Acton Phase II ZBA Presentation, 2019-02-20 - Acton II Comp Permit Response to Comments, Design Review Board memo, ACHC comments, Acton Water District memo, BOS letter of support, CTC email comments, Engineering Department memo, Natural Resources comments, Planning Division Memo, RHSO comments, Planning Memo – re P.O Crossing, P.O. Crossing letter, Upgrade spreadsheet, and GDS inspection memo.

Respectfully Submitted,  
Vivian Birchall  
Land Use Department