



## **Planning Board Minutes**

July 13th, 2021  
7:30 PM

Virtual (Zoom) and at Town Hall 472 Main Street, Acton, MA 01720

Planning Board members present: Derrick Chin (Chair), Ray Yacouby (Vice-Chair), Jon Cappetta (Clerk), and Sam Bajwa

Also present: Kristen Guichard, Planning Director, Kaila Sauer- Assistant Planner, Alicia Burak Administrative Assistant

Chair Derrick Chin called the meeting to order at 7:37 PM

Jon Cappetta called the roll: Derrick Chin - Aye, Ray Yacouby-aye, Sam Bajwa – Aye, Jon Cappetta – Aye, Michaela Moran- Aye, Nathan Cookson- Absent

### **I. Regular Business**

1. Citizen Comments: None
2. Approve previous minutes: Mr. Yacouby made a motion to accept minutes from last meeting subject to change of the wording. “Conservation Commission approved order of conditions.” Mr. Chin seconded. Roll call vote- Unanimous 5-0.
3. Administrative Updates and Reports: Board members discussed elections for the Planning Board. Mr. Chin stated he wanted to step down as Chair and nominated Mr. Yacouby. Mr. Cappetta seconded. Mr. Yacouby accepted. Mr. Yacouby nominated Mr. Bajwa as Vice Chair, Mr. Cappetta seconded. Mr. Bajwa accepted. Mr. Yacouby nominated Mr. Cappetta as Clerk, Mr. Cappetta accepted. The motions were approved unanimously 5-0.

7:48PM- New positions took effect. Mr. Yacouby (Chair), Mr. Bajwa- (Vice Chair) Mr. Cappetta (Clerk)

Kristen Guichard introduced Kaila Sauer as Assistant Planner. She stated that a new contact sheet will be sent out.

Jim Snyder Grant introduced himself as the new Select Board Liaison.

Kristen Guichard noted that Nathan Cookson was not in attendance, and that a 2/3rds vote is required for special permits being heard tonight.

## **II. New/Special Business**

### **1. Public Hearing – PB21-3, 3 and 11 Fort Pond Rd Definitive Subdivision**

The hearing was continued without deliberation to 8/10/21 at 7:35PM on Zoom.

At 8:00PM Sam Bajwa recused himself from the Board and sat in the audience.

### **2. Public Hearing – PB21-4 90-92 Willow Street Special Permit**

Ray Yacoub elevated Michaela Moran to a regular member to take the place of Sam Bajwa and opened the Public Hearing at 8:00PM

Jim D'Agustine /Ian Rubin gave an overview of proposed project. The proposal is to replace two existing, two family duplexes, and to upgrade one existing common driveway and one existing driveway which provides access to the units. The Applicant noted that style of the duplexes will fit in with the neighborhood and look like single family houses. Each unit will have 3 bedrooms for a maximum of 12 total bedrooms which is the same number as the current property has (rear house has a 5-bedroom unit, and 2-bedroom unit, front house has a 3 bedroom and a 2-bedroom unit). He stated that the existing house is in deplorable condition, functionally obsolete, with a septic that doesn't work well. The new dwellings will have a new septic installed in front. Test holes for drainage and septic have been done. The project includes proposed trees to be planted. The drainage plans meet requirements for storm water management. Proposed driveways to be slightly expanded for emergency access and an existing easement.

Board Comments- Mr. Chin asked about the front house being a historic property, stating the DRB said it was on the cultural resource list in which he stated that they have been in the demolition process for two years.

Kristen Guichard clarified that the property was on the Cultural Resource List and the HDC issued a demo-delay on the front house. The demolition delay has now expired and the Applicant subsequently filed for a demolition permit with the Building Department.

Jon Cappetta noted he was at the DRB meeting and asked if the Applicant thought about moving the proposed new duplex closer to the street and/ or renovate the existing historic structure.

The Applicant noted that the proposed septic system is located in the front and the existing historic structure was not in a condition to renovate; they intend to demolish the house.

Michela Moran stated she thought the house should be closer to the street and did not match the existing neighborhood; she had concerns about the size of the structures; she asked for the applicant to explain the elevation plan.

The Applicant noted that there were several homes on the street with a similar setback.

**Public Comments:** Jane Norris, 84 Willow St. and Wilford Norris expressed concern about the size of the structures, whether it was going to be rented or owned, concerns about the speed of traffic and the footprint of the house and the rental cost now vs. after. Terra Friedrichs, West Acton, noted concerns regarding the size of the duplexes, stating they are too large and not in harmony with the neighborhood.

Applicants, Sam Bajwa and Komal Bajwa noted their plan to downsize and move into one of the newly constructed units and were hopeful their family would move into the other units as well. Komal stated the existing structures are in bad shape and that they instructed their architect to design the homes to match the surrounding neighborhood.

Ray suggested to continue the hearing to September 21, 2021 at 7:35PM, virtually. Board Members and the Applicant agreed to the continuation.

### **3. Continued Public Hearing- PB21-2 -47 Conant Street Subdivision (Residential Compound)**

Mr. Yacoub opened the Public Hearing at 9:24PM

Alex Parra and Joe Levine gave a brief overview of the proposed project and where they left off last meeting. He noted the Board had three reasons for continuing the hearing (1) to give interested parties more time to review the additional peer review materials that had taken place a few days before the last hearing (2) to confirm with the Fire Chief that he approved the boulders size and location and (3) to wait until the Conservation Commission to confirm the wetlands line. Alex Parra noted that the Fire Chief approved the boulders and the Conservation Commission also issued their Order of Conditions and confirmed the wetlands line on the plan; the Order of Conditions includes the boulder line that the Fire Chief approved. He noted that at the end of the last hearing he asked the Board if they wanted him to make any changes to the plan and the Board had no requests, and asked the Board to close the hearing tonight and issue its decision.

Board Comments:

Ray Yacoub agreed the two issues from the last meeting were the boulders and the Conservation Commission findings.

John Cappetta stated he was concerned about the number of homes, otherwise had no other questions.

Sam Bajwa had no questions.

Michaela asked if the traffic considerations were addressed. Ray Yacoub stated they were. She stated concern about traffic congestion on Conant Street.

Ray Yacoub then allowed for additional public comment:

*In Person:*

Terra Fredricks stated concern about the number of buildings powered by gas, and too many buildings and the size, asked for them to disapprove and reduce the number of buildings.

*In the Virtual Audience:*

Ginny Kremer representing some abutters, asked the Board members if they have all read Kelley D'Ambrosio's memo.

Sam Bajwa stated that he read the memo. The Chair noted that he had not read it, but that it was received by the Board members.

Ray Yacoub asked Town staff to pull up the memo so everyone could see the memo she was referring to. Ginny said it was a dense document and said she would be happy to highlight the points for the Board's consideration and answer questions they might have.

Ray Yacoub suggested given the hour, that unless the Applicant had any serious objection, he would like to continue to August 10<sup>th</sup> to allow Board members to review the memo given that it was received one business day before the hearing.

The Applicant stated he felt it would be unfair to continue again, noting that they went through many iterations of peer review, and that they waited to come to the Board until the peer review issues were resolved. He stated that at the last hearing, the abutters wanted time to review the last peer review and the only issues the PB had outstanding were the two items previously noted; he agreed to continue the hearing previously and now the issues were resolved.

Ray recommended they close the hearing and the Board can have a discussion of whether they want to vote tonight or at a future meeting.

Kristen Guichard noted that Ginny Kremer and Kelley D'Ambrosio had their hand up in the virtual audience.

Ray Yacoub stated that the Board heard and received lot of public comment to take into consideration and have the memos so did not think they needed to hear more in order to deliberate.

Jon Cappetta motioned to close the public meeting, Derrick Chin seconded. The public hearing closed at 9:39.

Ray Yacoub asked the board members if they wanted to vote or vote at the next meeting. All members except Sam Bajwa were in favor of voting at the next meeting.

Jon Cappetta motioned to adjourn, Derrick Chin seconded. Meeting adjourned at 9:50PM

**Documents Used:**

**47 Conant Street Application Materials as follows:**

Document-77661/2021 6 16 LT ConCom re 47 Conant Street

Document-77657/Dambrosio memo for 7-13 hearing

**90-92 Willow Street Application Materials as follows:**

Document-77369/90 WILLOW ST 300FT

Document-77363/90-92 Willow St Disturbance Permit Application

Document-77548/90-92 Willow St Set of Architectural Design Plans

Document-77364/90-92 Willow St Set of Engineering Design Plans

Document-77447/Accountable Mail For Abutters

Document-77547/Letter to Planning\_other papers

Document-77653/Notorized background info doc - Combined

Document-77365/Legal Notice

Document-77366/PL9092WILLOWST - Legal Ad

Document-77553/Email 6-08-21

Document-77658/Email 7-13-21 Historical Commission comments

Document-77649/DRB Design Memo 90-92 Willow Street

Document-77549/Engineering Comments - 6.30.2021

Document-77368/Fire Dept 6-03-21

Document-77654/PB21-4 - 90-92 Willow Planning Div Review Memo

Document-77531/DRAFT 06-08-21-Planning Board Minutes

Document-77664/7.13.21 Planning Board Agenda