



DESIGN REVIEW BOARD

Meeting Minutes
July 29, 2021
Town Hall Room 204
7:00 PM

Present: Peter Darlow (PD), (Chair), David Honn (DH), Richard Keleher, (RK) Tom Doolittle (TD); Dean Charter (DC), (Select Board Representative)

Absent: Holly Ben Joseph

Proponents in Attendance: Paul Kirchner, Stamski and McNary; Mark Gallagher, Seal Harbor, LLC

1. **Opening**

Chair, Peter Darlow, opened the meeting at 7:00 pm.

2. **Regular Business**

- A. Citizens' concerns – none
- B. Approval of Meeting Minutes – It was moved and seconded to approve the amended May 4, 2021 minutes. They were approved unanimously as amended. The meeting minutes of June 23, 2021 are still outstanding.

3. **Special Business**

- A. Definitive Subdivision Plan for Hawk's Crest Reserve at 74 Main Street and 5 Fletcher Court Paul Kirchner presented plans for two, adjacent five-unit Residential Compounds in South Acton. Refer to the DRB Design Review Memorandum dated June 29, 2021 (attached) for comments.
- B. PCRC Memorandum
The DRB reviewed the PCRC memorandum (attached) regarding suggested changes to the current PCRC bylaw. DRB members were in agreement with the contents of the memorandum. DC noted that the Select Board will be discussing their annual goal setting on Monday, August 2, 2021. Any revisions to the memorandum should be done immediately and the memorandum should be sent to the Select Board for their consideration. The PD agreed to do so.



C. Zoning Bylaw Lot Width and Lot Area Memorandum

The DRB reviewed the Lot Width and Lot Area memorandum (attached) regarding suggested changes to the current Lot Width and Lot Area bylaw. DRB members were in agreement with the contents of the memorandum. DC noted that the extremely narrow slices of property boundaries created present a public safety hazard and uncertain ownership issues in regard to trees and their potential to topple onto adjacent properties. DC noted that the Select Board will be discussing their annual goal setting on Monday, August 2, 2021. Any revisions to the memorandum should be done immediately and the memorandum should be sent to the Select Board for their consideration. The DH agreed to do so.

4. Adjournment

At 9:00 p.m., it was moved and seconded to adjourn the meeting. The motion was approved unanimously.

Documents and Exhibits Used During this Meeting

- Meeting Minutes from May 4, 2021
- Documents Reviewed: A colored rendering of the proposed site development and the set drawings prepared by Stamski and McNary titled: Definitive Subdivision Plan for Hawk's Crest Reserve at 74 Main Street and 5 Fletcher Court, Acton MA, June 28, 2021.
- Page titles:
- Sheet 1 Title Sheet
- Sheet 2 Record Plan
- Sheet 3 Existing Conditions Plan
- Sheet 4 Site Development
- Sheet 5 -6 Plan and Profile
- Sheet 7 Construction Details
- Sheet 8 Erosion and Sedimentation Control Plan
- DRB Zoning Bylaw Lot Width and Lot Area Draft Memorandum
- DRB Zoning Bylaw Planned Conservation Residential Community (PCRC) Draft Memorandum



**TOWN OF ACTON
DESIGN REVIEW BOARD**
Review Memorandum: Hawk's Crest Reserve
Definitive Subdivision Plan
July 29, 2021

DRB Members in attendance: Peter Darlow (Chair), David Honn, Richard Keleher, Thomas Doolittle, and Dean Charter, (BOS Liason)

Proponents in attendance: Mark Gallagher – Seal Harbor, Paul Kirchner – Stamski and McNary

Documents Reviewed: A colored rendering of the proposed site development and the set drawings prepared by Stamski and McNarry titled: Definitive Subdivision Plan for Hawk's Crest Reserve at 74 Main Street and 5 Fletcher Court, Acton MA, June 28, 2021.

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It is proposed by the proponents to combine the existing residential lots located at 74 Main Street and 5 Fletcher Court to assemble a total of 6.16 acres to be developed into a 10 house lot subdivision. Rather than proceeding with a plan utilizing standard subdivision requirements for road and infrastructure development, the proponents are seeking approval to create, in essence, a pair of side by side residential compounds. The stated advantage for the proponents as well as to the town will be a significantly reduced scale of roadway to serve the 10 house lots, leaving more of the land pervious and vegetated. A further benefit for the town is the private access drives will be maintained by the homeowners association of Hawk's Crest rather than by the town of Acton.

Presently one house sits on the property at 74 Main Street and will be maintained essentially as is. Presently one house sits on the property at 5 Fletcher Court and will be removed. The result is a net increase of 8 additional house lots on the combined land.

Much of the site is wooded, and a portion of the site consists of wetlands. The development of the site as proposed will generally avoid touching the wetlands, though aspects of some of the sitescape work for the

proposed house lots immediately adjacent and the edge of one private drive will require review by the Conservation Commission given they are planned within the 100 foot setback. Though the wooded area within the wetlands will be maintained, much of the site will be cleared to resolve the heavily pitched site topography for engineering of the private drives and to establish reasonable building lots.

The property generally pitches from Main Street and Fletcher Court towards the Assabet River Rail Trail which runs along the northerly edge of the proposed subdivision. Several retaining basins are proposed, generally on the lower portion of the land, to capture the on site water runoff before it can either wash into the wetlands or onto the adjacent Rail Trail.

On the topic of public shade trees, though no exhibits were prepared, the proponents did state that no significant shade trees exist along the Main Street ROW at 74 Main or where Fletcher Court currently transitions to become a private drive.

The pair of private drives will each serve no more than 5 house lots, thus keeping within the intent of a residential compound. The pair of drives will not interconnect except for a pedestrian walkway between the two private drives at the middle of the site.

It was pointed out that several of the house lots as laid out are uniquely shaped with very narrow segments of land that in some cases wrap around adjacent house lots and in other cases extend as narrow arms well into the wetlands. The proponents acknowledge that such manipulation of the shape of house lots does allow for more density within the developable portions of a land tract.

The proponents have met with the town departments for a technical review. Of note, given the land has traditionally been a pathway used to access the Assabet River Rail Trail, the proponents have offered to create a public walkway to the Assabet River Rail Trail. The town has requested that several parking spaces be created at the head of the private drive off of Fletcher Court for use by the public, given the opportunity being made to access the Rail Trail via the new subdivision.

The proponents, in meetings with several of the neighbors have agreed to remove existing invasive species of bamboo growing on portions of the site close to Fletcher Court, and for other neighbors, have agreed to screen their property lines from house lots proposed that are relatively close to the property lines.

Following are recommendations made by the DRB:

- Given the steepness of the existing topography adjacent to the Rail Trail, the proposed path to be built for public access to the Rail Trail cannot readily be made ADA compliant without a significant effort to regrade the land, including removal of many additional trees otherwise not scheduled to be cut. The DRB recommends the pathway to the Rail Trail should be established as a marked natural walking path within the woods, rather than a paved or ramped public walkway.
- Given the middle of the site will be cleared and the topography modified, there will be no natural barrier remaining to separate the backs of the five house lots abutting each other between the pair of somewhat parallel drives. DRB members recommend that a stand of newly planted trees, or a small arboretum of trees and plantings be positioned between the backs of the future house lots to afford the future homeowners some natural privacy.
- As noted above, several of the house lots are proposed with an unusual shape which potentially brings into question how useful the lot of land will be to the home-owners given the long and narrow stretches of land will not feel a part of one's property. The DRB raises this concern to Land Use and the reviewing boards given there has been a trend in recent subdivision layouts to

manipulate to a rather extreme extent the shapes of house lots to maximize the house lot yield that a tract of land can provide. The lot shape manipulation, though compliant under the current zoning language in Acton, could easily result in property owners confusion as to land ownership boundaries. Take a look closely at lot 8 and its very narrow, (5ft?), strip of land that runs north towards the wetlands and separates lots 4 and 9. As an owner of lots 4 or 9, would you understand that there is land between you and your immediate neighbor that neither own? As the owner of lot 8, what can you do with this very narrow strip of land? Pragmatically, who is going to maintain this? The DRB recommends that Land Use and the planning board begin to look into a revision of the definition of lot width and the calculation of lot area to address the extreme lot shape manipulation.

- There is a retaining wall planned for a portion of the western edge of the site due to a planned three to four foot drop in topography. The DRB recommends the wall built be of natural stone to fit within the context of the rural site. The DRB also suggests the design of the planned sitescaping at this edge be adjusted to minimize the drop at the retaining wall to less than 30 inches to avoid the need of a safety fence at the top of the wall.
- The DRB respectfully requests that Land Use staff and reviewing boards reinforce the need for proponents to graphically address the topic of whether public shade trees exist within the existing ROW property edges and whether planned development will potentially be an impact to the trees so flagged. Though not an issue with this proposal, the DRB has recently reviewed several projects where there has not been an understanding of the updated Select Board public shade tree policy.

The DRB is otherwise comfortable with the definitive plan as proposed.

Respectfully submitted,

The DRB