



PLANNING BOARD • Town of Acton

MINUTES
PLANNING BOARD MEETING
APRIL 27, 1981

CALL TO ORDER: 8:15

THOSE PRESENT: Mrs. Bayne (Chairwoman), members, Mr. Weare, Mr. Phillips; Town Planner, Mr. Dufresne; Allen C. Hirtle and Ted Atkinson, residents; Kirk Ware, Nagog Development Co.; Kenneth Hoffman, Goldstein and Manello and Nagog Development Co.

SILVER HILL ROAD BOND:

VOTE: The Board has repeatedly tried to get Mr. Power to satisfactorily complete the remaining work at the Ridgewood Estates subdivision, Silver Hill Road. The Board has received no satisfactory response from Mr. Power. Therefore the Board hereby votes to take the \$50,000.00 bond plus accrued interest held by the Town to secure the completion of the ways and services at the above named subdivision, and to direct the Town Manager to let bids for the satisfactory completion of said work.

Mr. Dufresne will notify Mr. Power of this action.

MOVED by Mr. Weare, second by Mr. Phillips, all in favor.

Mr. Dufresne consulted with Town Counsel about the propriety of landscaping individual house lots as part of the required work at the Silver Hill Road site. Mr. Callaghan felt that as long as the landscaping work was related to the protection of the drainage system, the work was a necessary part of properly finishing the subdivision.

Mr. Dufresne and David Abbt inspected the subdivision today, most of the work that has to be finished is road construction; some landscaping work will also be required.

Allen Hirtle and Ted Atkinson, Silver Hill Road residents, attended the meeting and voiced their concerns on the unfinished work and erosion problems. Their main concerns were:

If the loam is brought in to correct the erosion problems, how are they going to water it, with the present watering ban in Acton?

Mrs. Bayne presented two possibilities:

- 1) it is possible that the water could be pumped from the pond in the subdivision, or
- 2) the contractor correcting the problem would import the needed water.

Another concern was whether the pond in this subdivision was filling in due to the erosion.

ANR: #2775 The Board voted to authorize Mr. Dufresne to endorse ANR # 2775.
MOVED by Mr. Phillips, second by Mrs. Bayne, all in favor.

Ken Hoffman representing Nagog Development Co. attended the meeting with a few concerns about ANR #2775. He presented the Board with Digitals' concern over the right of way through the land drawn on the ANR, belonging to the "Iron Bucket Trust". As a trade-off for the abandonment of this easement the "Iron Bucket Trust" accepted \$5,000.00. Mr. Hoffman wanted to be sure that this is noted in the ANR Plan.

The Board requested that Mr. Dufresne consult with Town Counsel on the propriety of marking the ANR plan with a notation indicating the abandonment of the 60 foot right of way shown on the plan. If Town Counsel agreed that such a note was proper, then Mr. Dufresne could endorse the ANR at that time.

MOVED by Mr. Weare to approve the abandonment of the 60' right of way easement shown on ANR #2775 subject to Town Counsel approval, second by Mr. Phillips, all in favor.

RED LINE PLAN: Nagog Square by H.W. Moore, dated December 1, 1980 and revised April 11, 1981, approved by Mr. Herrick, Town Engineer, was presented to the Board for review and consideration.

MOVED by Mr. Weare to approve and sign Nagog Square Red Line Plan, second by Mr. Phillips, all in favor.

VOUCHER: The following voucher was approved for payment by the Board:

Wang Laboratories	\$18.13
-------------------	---------

MOVED by Mr Phillips, second by Mr. Weare, all in favor.

SCHEDULE OF RELEASE FOR NAGOG SQUARE SUBDIVISION:

VOTE: To waive the provision in Section III.B.5.a. of the "Town of Acton, Subdivision Rules and Regulations" which states ".....plus ten (10) percent of all or any part of the improvements specified in Section V...." relative to the posting of an additional \$240,000.00 bond to secure the completion of the ways and services at the "Nagog Square" Subdivision, meaning and intending to waive the 10% bond contingency requirement only.

The Board was advised by Mr. Dufresne that he and the Engineering Department could not foresee any problems with allowing a waiver of the 10% bond contingency in this instance. It was felt by Mr. Dufresne and the engineers that the amount of the bond was sufficient to cover costs of completion of the roadway in the case of a default.

MOVED by Mr. Weare, second by Mrs. Bayne, all in favor.

MOVED by Mrs. Bayne to accept the sign the Three Phase Schedule of Security Release for the Nagog Square Subdivision, dated April 27, 1981, second by Mr. Phillips, all in favor.

LOT RELEASE AND BOND APPROVAL:

The Board voted to release lots 107-A, 101-D, 101-C, 101-A, 107-B, 107-A-1, 8-A, 106, 101-E, 2, 103, 104, and 105 upon the posting of an additional \$240,000.00 bond by the developer for the "Nagog Square" subdivision. The Board also voted to release the existing \$60,000.00 bond posted with the Town at the same time that the \$240,000.00 additional bond is posted. The Board will retain the existing \$100,200.00 insurance bond held by the Town, thereby increasing the entire bond amount to \$340,200.00 to secure the completion of the ways and services at Nagog Square.

Nagog Development Co. and the Town Treasurer will be notified of this action by Mr. Dufresne.

MOVED by Mr. Phillips, second by Mr. Weare, all in favor.

MINUTES: The Minutes of April 2, 6, and 13 were approved as amended by the Board.

MOVED by Mr. Phillips, second by Mr. Weare, all in favor.

SIGNATURES: The Board signed forms required for the Attorney Generals' approval of the Cluster By-Law.

ANR: #2777 The Board voted to authorize Mr Dufresne to endorse ANR #2777.

MOVED by Mr. Weare, second by Mrs. Bayne, all in favor.

ENDORSEMENT: The Board voted to endorse Indian Village Extention Definitive Subdivision Plan and the Restrictive Covenant.

MOVED by Mr. Phillips, second by Mrs. Bayne, all in favor.

BOARD OF APPEALS PETITIONS:

Case numbers 81-16, 81-17, 81-18, and 81-19

The Board reviewed the above petitions and authorized Mr. Dufresne to submit the Boards comments to the Board of Appeals.

CEDAR MEADOWS SUBDIVISION:

The Board reviewed the Engineering Departments' report on the Knowlton Drive "as built" plan. The Board noted the problem with the wall on the Hall's property and requested that Mr. Dufresne speak with Steve Calichman about the Board of Health's concern with the construction of the wall.

Mr. Dufresne will keep the Board up to date with the problems concerning this subdivision.

MEETING ADJOURNED: 11:00 P.M.

Respectfully Submitted,

Julie McCarthy
Julie McCarthy,
Clerk