



PLANNING BOARD • Town of Acton

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PLANNING BOARD MINUTES

Monday, November 14, 1988

Town Hall Hearing Room, 7:30 p.m.

RECEIVED & FILED

DATE 9/17/89

C Beebe
Asst TOWN CLERK, ACTON

Present: Chairman, Mr. Barry; Members: Mary Giorgio, Quint Brathwaite, Greg Nieymski, and Robert Block. Staff present: Roland Bartl, Town Planner; Timothy Smith, Assistant Planner, and Mary Robertson, Recorder.

Chairman, Mr. Barry, called the hearing to order at 7:30 p.m. and read the public hearing notice on the proposed amendments to changes in the zoning bylaw.

Article A: Amendment to Zoning Map 1: Attorney Charles Orcutt, representing Elizabeth Haley of 91 River Street, informed the Board that Ms. Haley wished to build on the lots, however, is restricted by current zoning. In order to obtain a certified plot plan and build, she could obtain a variance from the Board of Appeals, but she has decided to request rezoning of the lots to R-2. It was clarified to the public that this article covered parcels 153-184 on River Street only.

Attorney Orcutt explained that the existing zoning map was for industrial parcels but the houses predate zoning. He suggested that their options were to either go to town meeting or to have a citizen's petition. He preferred not having to rely on placing the article on the town warrant.

Mr. Bartl commented that a petition had already been made to the Board of Selectmen and that they could proceed as they wished.

Article B: Amend Section 3-Table of Principal Uses/Definitions:

Mr. Barry read Article B and summarized that the reason for this amendment is to protect aquifers, open space, and to prohibit the area from like growth.

Mr. William Lawrence, Knox Cap Realty, requested verification of the Board's concerns. He argued that all auto repair shops did not pose hazardous waste problems and that the article prevents further expansion of such businesses.

Mr. Barry stated that "USE" would be controlled.

Mr. Brathwaite added that the number of cars have doubled and the Board's view is that facilities are not environmentally concerned. However, an expansion to a garage would require a special permit. The greater concern is for the populace.

Mr. Barry also noted that historically, the problem with Light Industrial/General Industrial has been North Acton. This article is not spot zoning and suggests limiting some USES.

Mr. Lawrence wondered if Knox Trail would be granted special consideration and hoped that the town valued the services they provide. He also asked that the Board wait for the Master Plan before making a decision. It was his opinion that the Board "carte blanche, ruled out the young professional just starting out," particularly civil engineers.

Mr. Niemyski stated that this would not take anyone's USES away although the process may take them before the Board of Appeals to expand their buildings. Also, the town does not have to wait for the Master Plan to make these decisions, especially when the public welfare is concerned. North Acton has industrially zoned land on/or nearby an aquifer--perhaps the DEQE will look into the area, he added.

Bill Parrish, owner of an auto body shop, questioned the impact on his business and if he would be grandfathered if he decided to expand. Mr. Brathwaite and Mr. Block had differing opinions as to whether or not he would be limited. He requested the Board to reconsider and suggested the emphasis be placed on "light industrial" which is not adequately policed. He requested that Section 3.5.19 be stricken.

Article C - Technical Corrections: There were no comments.

Article D - Parking Lot Landscaped Area: This article set a new table and groups, increases requirements, defines sizes of lots, islands, and requires snow storage areas; it also sets landscaping materials.

Mr. Kirk Ware stated that he felt the requirements were admirable. However, he felt there is a problem with the percentages as there is no advantage to create crossing islands or forcing nursery grown trees and strips. 5-10% is okay but not 20% which would allow islands to become overloaded with bark mulch and creating obstacles.

Mr. Bartl stated that these are minimum standards.

Mr. Brathwaite recommended looking at another alternative.

Mr. Ware suggested that the islands not be required so that the extra space surrounding the buildings can be processed as has been done with Nagog Park.

8:30 - 271-273 Pope Road: The Planning Board endorsed the plan and approved the request for withdrawal of the amendment without prejudice.

8:40 - C. Reeves Hammerhead Lots B1-C & B1-D: Mr. Block motioned to approve the decision with amendments. Ms. Giorgio second. Unanimously approved.

8:45 - Blackberry Hill: The general sense of the Planning Board was that while they may approve the subdivision, they do so with prejudice and grave concerns. Because the Petitioner meets the strictest sense of the rules and regulations, they are left with no alternative. The decision has been tabled to the Board Workshop on Monday, November 21st.

9:12 - Stoneymeade: Messrs. Gallagher and Brown requested endorsement of the plan as they felt they have now met all the Board's requirements. The remaining issues were the restrictive covenant and the posting of a bond based on the sidewalk clarification. They noted that the stump dumps would be placed on the as-built plan.

Mr. Bartl stated that the bond is required prior to endorsement and suggested the Board look to see if the covenant covers the sidewalk issue.

Mr. Barry suggested deferring the endorsement to the workshop. However, Mr. Gallagher stressed that they were under financial constraints and required a review and decision as soon as possible.

Mr. Brown informed the Board that he met with the Board of Health and Board of Appeals. At this time, there is no package treatment plant due to recent state requirements and it has been eliminated off the plan. Each parcel will have an individual septic system.

Mr. Block requested that they furnish a written statement, prior to endorsement, that states there will be no treatment plant.

The Board concluded that Mr. Bartl would be authorized to endorse Stoneymeade for the Board once a formal statement is received and the issues addressed on Mr. Smith's memo dated 11/02/88 outlining remaining conditions are met along with a calculated bond.

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Mary Giorgio
Mary Giorgio, Clerk