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PCRC Special Permit Decision 02-09, Amendment # 3
Robbins Mill Estates
December 20, 2022



Planning Board

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**AMENDMENT #3
OF DECISION
02-09**

Robbins Mill Estates
Definitive Subdivision
and
Planned Conservation Residential Community (PCRC) Special Permit

December 20, 2022

APPROVED WITH CONDITIONS

This is an amendment by the Planning Board (hereinafter the Board) of its decision issued to the Robbins Mill Estates Conservation Trust, (Srinivas Anatha, President, Prakash Rao, Treasurer, Sandeep Ulman, Secretary, Yanbin Liu, Trustee) (hereinafter the Applicant), on December 20, 2022 for located off Carlisle road and shown on the 2002 Town Atlas as parcels C-5/104; C-6/11, 12,13,14; D-5/12; and D-6/1, 2, 2-1 (hereinafter the Site).

This Amendment Decision is in response to the request for a modification to Section 3.2.19 of its Original Decision to regulate the location of accessory ground mounted solar panels.

At its regular meeting of December 20, 2022, the Board determined that the requested modification is minor in nature and as such does not require a public hearing. The minutes of the

Decision 02-09, Definitive Subdivision, Robbins Mill Estates PCRC, Amendment #3

meeting and submissions, on which this decision is based upon, may be referred to in the Office of the Town Clerk or in the Acton Planning Department.

1 EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

- Form DP, Application Form, dated December 5, 2022,
- Letter from Trustees of Robbins Mill Estates, dated December 5, 2022,
- Original Decision 02-09,
- Emails from Roland Bartl and Developer pages 456-458,
- Robbins Mill Declaration of Restrictive Covenants,
- Solar Pamphlet Robbins Mill Estates pages 118-135,
- Zoning Confirmation-Solar Panel letter, dated December 1, 2022.

2 FINDINGS AND CONCLUSIONS

2.1 The Condominium Trust proposed amendments to the conditions outlined in Section 3.2.19 of the Original Decision as follows:

Solar panels used by homeowners for generating heat, hot water, or electric power will not be subjected to any neighborhood design review or the scrutiny of abutting lot owners. However, solar panels installations will be done only in the backyards and the rooftops. Solar panels installations in the backyards will require visual screening in cases where one lot's backyard directly abuts another lot's front yard. For the purpose of this section, "backyard" shall be the full width and depth of the lot that extends behind the dwelling. In addition, such solar panel installations shall require a building permit from the Town of Acton; shall be covered by the owner's home insurance policy or through a separate or supplemental insurance policy and shall be removed if their use has been discontinued for more than 12 months.

2.2 The requested modification retains the ability of homeowners in Robbins Mill to pursue ground mounted and roof mounted solar options, but also provided visual screening for neighbors.

3 BOARD ACTION

Therefore, the Board voted to **APPROVE** the requested modification of its Original Decision subject to the following conditions:

3.1 CONDITIONS

3.1.1 The Original Decision and subsequent Amendments, including all their waivers, required plan modifications, and conditions are incorporated by reference and expressly restated herein as requirements of this Amendment Decision. Except as modified herein, the Original Decision, the Plan approved thereunder shall remain in full force and effect.

3.1.2 This Amendment Decision shall be recorded at the Middlesex South District Registry of Deeds.

Signed on behalf of the Acton Planning Board

Kristen Guichard
Kristen Guichard, AICP, Planning Director

12/22/2022
Date

Copies to:	Engineering Department	GIS Officer	Town Clerk
Applicant	Land Use Department	Town Manager	Town Assessor
	Fire Chief		