



**Planning Board**

April 2<sup>nd</sup>, 2024

7:30 PM

In Person &  
Virtual (Zoom)

**Planning Board members present:** Jon Cappetta, Michaela Moran, Sam Bajwa, James Fuccione and Patricia Clifford

**Also present:** Kristen Guichard, Planning Director, Nora Masler, Planner, & Alicia Burak, Administrative Assistant.

**Planning Board members absent:** Nathan Cookson

Jon Cappetta read the guidelines for the virtual meeting.

Jon Cappetta called the meeting to order at 7:37PM.

James Fuccione called the roll: Jon Cappetta- Aye Michaela Moran-Aye, Sam Bajwa-Aye, James Fuccione-Aye, Patricia Clifford-Aye.

Jon Cappetta elevated Patricia Clifford to full member at @ 7:40PM

**I. Regular Business**

- 1. Residents Comments:**
- 2. Approve Previous Meeting Minutes:**
- 3. Board Members Reports:**
- 4. Administrative Updates:**

**II. New/Special Business**

- 1. Zoning Public Hearing -Continued Public Hearing- Discussion on proposed Zoning Articles**

Chair Jon Cappetta opened the public hearing at 7:41PM

The Planning Board continued the discussion on proposed Zoning articles

Planning Director, Kristen Guichard gave a quick overview of the zoning articles and presented a power point that addressed the Board's questions from the last meeting. <https://doc.actonma.gov/dsweb/View/Collection-17878>

She noted the MBTA Overlay District Bylaw Vote is the only vote that requires a simple majority vote, whereas the other proposed articles require a 2/3 vote.

#### **A. Car Dealerships in the Limited Business District**

##### **Public Comment:**

Terra Friedrichs of West Acton expressed her support of the article. She requested a further amendment be added to require smaller car dealerships.

**Board Comments:** None

##### **Vote:**

Michaela Moran motioned to recommend car dealerships in the limited business district to Town Meeting but move all other articles to a fall town meeting. Sam seconded the motion. Roll Call Vote: Jon Cappetta- No, Michaela Moran-Aye, Sam Bajwa-Aye, James Fuccione-No, Patricia Clifford-No.

Patricia Clifford motioned that the Planning Board move the article to Town Meeting on 5/7/2024. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- Aye, Patricia Clifford-Aye

Patricia Clifford motioned that the Planning Board recommend the article at Town Meeting on 5/7/2024. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta-Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- Aye, Patricia Clifford-Aye

#### **B. MBTA Overlay Districts**

##### **Public Comments:**

Bob Van Meter of 2 Half Moon Hill, supported for the MBTA Communities Overlay District and commended the implementation of a 10% inclusionary zoning policy. He expressed concerns about the McManus Manor project's sewer access, noting a need of States Support for sewer connection through Rt.2 to reach

the property and questioned whether non-compliance with MBTA communities could jeopardize grant funding for this infrastructure. Additionally, he raised concern of potential negative impact on additional affordable units being developed if compliance is not met.

Terra Friedrichs of West Acton, - Concerned that Dover Heights could be demolished and replaced with luxury condos, which would cause a loss of the affordable housing and create a mass eviction of tenants. Requested Dover Heights be removed from the proposal. Stated her disapproval with the Civil Rights lawyers and wants a delay to see impact studies.

Jennifer Morazes, Tenant of Dover Heights, Madeline Cruz, Sachem Way -

noted the current housing crisis, stated their concern of mass evictions if zoning changes as Dover Heights is one of the most affordable apartments. Wants tenant's rights protected. Did not feel like the Town communicated enough with the residents.

Jason Cole of 63 Nashoba Rd- stated his concerns with the State calculator and state compliance requirements, asked for clarification on the optional Overlay district.

Katrina Buck of Faulkner Hill Rd- Asked if there is a timeline that Acton has, to comply with the state to come up with the number of units? Kristen noted that the state is requiring Acton to adopt the zoning but there is no building mandate. She asked about possibility of future impact studies.

John Mangiaratti, Town Manager, expressed his concerns of non-compliance with the MBTA mandate noting the impacts to the Town budget and community if they were no longer able to access the state funding grants.

Abigail Sossen, Ben Uhl, and Colleen Halligan, residents of Dover Heights expressed concern of an anonymous flyer that Dover Heights' residents received about potential displacement due to redevelopment plans, and emphasized the need to protect vulnerable populations.

Planning Director, Kristen Guichard advised that the Town did not distribute a flyer and was not aware of any indication that the developer has plans to demolish the apartments and evict the tenants.

Sam Bajwa asked of a possibility to exclude Dover Heights from article. Kristen stated the current proposal is from a two-year public outreach effort where residents were notified and asked to participate with community feedback. She stated it would be up to the planning board to make any other proposals.

Michaela Moran suggested to continue the MBTA Article to a fall Town Meeting to allow time to address outstanding issues.

**Vote:** Michaela Moran motioned that the Planning Board defer the article to allow more time to consider. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta- No, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- No, Patricia Clifford-No

James Fuccione motioned to move the article to Town Meeting, but hold another Planning Board meeting on 4/9/24 to investigate Dover Heights and vote at that meeting on whether the Board recommends the article. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa-Aye, Michaela Moran-No, James Fuccione-Aye, Patricia Clifford-Aye

### **C. South Acton Village Districts**

**Public Comments:** Terra Friedrichs, of West Acton- expressed concerns of traffic on Main Street and risks of tenant evictions.

**Board Comments:** None

**Vote:** James Fuccione motioned that the Planning Board move the article to Town Meeting on 5/7/2024. Pat Clifford seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- Aye, Patricia Clifford-Aye

James Fuccione motioned that the Planning Board recommend the article at Town Meeting on 5/7/2024. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta-Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- Aye, Patricia Clifford-Aye

### **D. Assabet River Overlay District**

**Public Comments:** Terra Friedrichs of West Acton expressed her concerns of affordable housing and insisted on changing the zoning to require more affordable housing.

Judy Hodge, of High Street asked for clarification on how the proposed zoning changes will affect the auto dealerships that are currently there. Kristen advised

that the current auto dealerships are protected unless there is a gap of two years and the proposed change would only affect new businesses.

Board Comments: None

**Vote:** Jon Cappetta motioned that the Planning Board move the article to Town Meeting on 5/7/2024. Pat Clifford seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- Aye, Patricia Clifford-Aye

James Fuccione motioned that the Planning Board recommend the article at Town Meeting on 5/7/2024. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta-Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione- Aye, Patricia Clifford-Aye

Jon Cappetta motioned close the public hearing at 9:12PM. Patricia Clifford seconded the motion. Jon Cappetta- Aye Michaela Moran-Aye, Sam Bajwa-Aye, James Fuccione-Aye, Patricia Clifford-Aye

**Materials used at this meeting:**

Planning Board Agenda

1-16-24 Minutes

2-24-24 Minutes

Fair Housing evaluation of South Acton vision and action plan

Link to Draft zoning articles: <https://doc.actonma.gov/dsweb/View/Collection-17878>

