



## ACTION PLANNING BOARD

Minutes of Meeting  
February 5, 2013  
Town Hall – Faulkner Room 204

Planning Board members attending: Mr. Ryan Bettez (Chairman), Mr. Jeff Clymer (Vice Chair), Ms. Margaret Woolley Busse (Clerk), Mr. Ray Yacoubi, Mr. Roland Bourdon, Mr. Derrick Chin, Associate member Mr. Rob Bukowski and newest Associate member Mr. Michael Dube. Also present: Planning Director Mr. Roland Bartl, Assistant Planner Ms. Kristen Domurad-Guichard and Planning Board Secretary Ms. Kim Gorman.

Absent: Ms. Kim Montella.

Mr. Bettez called the meeting to order at 7:32 PM.

R E C E I V E D  
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TOWN CLERK, ACTON

### **I. Citizens Concerns**

None raised.

### **II. Consent Agenda – Draft Minutes of 1/15/13**

The draft minutes were approved as amended.

### **III. Reports**

**Acton 2020:** Ms. Woolley Busse reported the committee met with Economic Development Committee (EDC), Finance Committee (FinCom) and Board of Selectmen (BOS). The BOS included the Kelley's Corner Improvement capital request in the FY2014 budget for \$277,000. The committee continues to support this effort; they are conducting extensive public outreach to developers, business owners and neighbors. They will host a neighborhood forum on February 27, 2013 and a public forum on March 7, 2013.

**CPC:** Mr. Bourdon reported the committee had toured 2 sites: Theater III and W.A. Baptist Church. Mr. Bourdon reported the applicants are requesting CPA funding.

**EDC:** Mr. Chin reported the committee is moving along with the process for a business permitting plan.

### **IV. Public Hearing – Proposed Zoning Amendments**

Mr. Bettez explained public hearing procedures. He stated the Board would decide which articles to recommend and bring to Town Meeting. Articles could still change or be withdrawn at this time except Article E (to allow drive-up windows) which must go to Town Meeting as it is a citizen's petition.

Mr. Ryan had asked members of the audience which article they were in attendance for; to know which article to discuss first.

Board members discussed the following proposed zoning amendments:

**Article F** – Allow the sale, service and storage of certain home heating fuels.

Many Robbins Brook Condominium residents were in attendance for the article. A petition with over 60 signatures and documents were given to the Board. Primary objections to the article were: fire safety, negative environmental impacts, overall negative impact on the neighborhood and excessive noise.

**Article G** – Amend the definitions for warehouse, distribution plant and manufacturing.

**Article O** – Amend the regulation for outdoor storage in Industrial zoning districts.

Many Robbins Brook Condominium residents were in attendance for the article. Their primary objections to the article were: fire safety, negative environmental impacts, overall negative impact on the neighborhood, and excessive noise.

The owner of the industrial property adjacent to the Robbins Brook Condominium was in attendance; he explained building and property, and stated his business supports the community.

Article C - Allow limited commercial use of private neighborhood/community recreation facilities. Mr. Steve Graham is working with the Nagog Woods club house and common facility. Board members noted the proposed bylaw does not require private facility owners to open their facilities to the general public; it allows them the opportunity to do so if they choose.

Article E – Allow and regulate drive-up windows for restaurants and retail stores (citizens' petition).

Article sponsors, Mr. Herman Kabakoff and Mr. Sydney Johnston, gave their presentation.

Individuals in the audience commented that Acton is not a common town; old fashion America. Acton is not for drive up windows and that Acton 2020 finds residents want a walkable Kelley's Corner which is not compatible with drive-up retail

Article D – Define and regulate community service organizations. Board members suggested placing a comma in Section 3.4.12 after clothing and inserting "potential assistance" for home heating fuel.

Article B – Rezone 145-149 Great Road (Brookside Shops) to Limited Business. Two abutters objected to the article and requested the Board not bring the article to Town Meeting.

Article A – Define and regulate donation collection bins. Audience members had questions and a request to reduce the screening requirement . Board members stated the Town Bylaw and Zoning Bylaw should have same literature, setback requirements and screening.

Article P – Define and regulate solar power installations. Audience members had questions about neighborhood installations and users outside of the grid; the bylaw allows for this as long as it is not the primary use. Board members discussed neighborhood installations versus industrial installations; special permit required.

At their next meeting Board members will discuss grouping some articles together and their placement on the warrant.

Mr. Bettez moved to continue the public hearing to February 19, 2013 at 8:00pm in Room 204, Mr. Yacoub 2<sup>nd</sup>; all in favor.

Mrs. Woolley Busse left the meeting at 9:05pm.

#### **V. Administrative Update**

Mr. Bartl reported staff had a preliminary site plan meeting with the representatives of Panera Bread. Panera Bread is looking to replace the old McDonald's building at 256 Main Street. They are looking to file the site plan with Board of Selectmen this spring.

The meeting was adjourned at 10:40 PM.