



ACTION PLANNING BOARD

Minutes of Meeting
February 26, 2013
Action Public Safety Facility Building
Room EOC

Planning Board members attending: Mr. Ryan Bettez (Chairman), Mr. Jeff Clymer (Vice Chair), Ms. Kim Montella, Mr. Ray Yacoubi, Mr. Roland Bourdon, Mr. Derrick Chin 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. Margaret Woolley Busse (Clerk) and Associate member Mr. Rob Bukowski.

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

Mr. Bettez appointed Mr. Dube as a full member for tonight's meeting.

R E C E I V E D
MAR - 6 2013

I. Citizens Concerns

None raised.

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

Minutes were not reviewed.

TOWN CLERK, ACTON

III. Reports

DRB: Ms. Montella reported the committee met with Ms. Celia Kent from Acton 2020 Committee. She gave a presentation on the Acton 2020 Implementation Phase and the Kelley's Corner improvement project.

CPC: Mr. Bourdon reported the committee is in deliberations for the Morrison Farm project.

EDC: Mr. Chin reported the committee met with Mr. Bartl regarding the sign bylaw process.

IV. Public Hearing – Scenic Road – Pope Road @ Strawberry Hill Road & High Street @ Audubon Hill

Mr. Bettez opened the public hearing at 7:45pm. Present were Mr. Corey York, Town Engineer/Director of Public Works and Mr. Dean Charter, Town Tree Warden. They have requested two (2) scenic road hearings under Town General Bylaw Chapter J (MGL Ch 40 Sec 15C).

Removal of a 36" DBH multi-stem Oak tree on Pope Road at the intersection of Strawberry Hill Road. This request is being made so the Town can remove an existing public shade tree located across from the driveway for 190 Pope Road. Mr. York explained the Town had hired a consultant to assess the traffic and propose some modifications to improve the safety at this intersection. The proposed work at the intersection will improve the sight line along Pope Road for the Strawberry Hill Road westbound approach.

The second request is for the removal of 8 public shade trees on High Street near Audubon Drive and to relocate approximately 275 feet of stone wall along the southeasterly corner of the intersection. Public shade trees proposed for removed are: 32" DBH Oak, 19" DBH Oak, 23" DBH Oak, 14" DBH Hickory, 6" DBH Black Birch, 4" DBH Hickory, 12" DBH Oak and a 28" DBH Hickory. The work will also include reconstructing a section of the existing sidewalk and loaming and seeding at the disturbed

areas. The proposed work at the intersection will improve the sight distance for motorists stopped on Audubon Drive and turning onto High Street.

A resident voiced concern about drivers speeding in this location. Mr. York stated the traffic count determined the average daily vehicle count for High Street was over 5,000 vehicles per day and the speed was about 40 mph. Mr. York stated the Acton Police can enforce but once people feel comfortable with the road, they begin to speed.

Questions and concerns raised regarding the High Street proposal included:

- Sight lines are a problem.
- Concerned with regrading the shoulder toward Main Street. Requests each tree be evaluated to assess if removal is necessary. Mr. York stated he will consult with Mr. Charter.
- Requested the shoulder towards Conant Street be completed first. Mr. York Agreed.

There were no questions or concerns stated about the Pope Road at the intersection with Strawberry Hill Road proposal.

The Board voted unanimously to close the public hearing.

Mr. Clymer moved the Board approve removal of the 36" DBH multi-stem Oak tree on Pope Road at the intersection with Strawberry Hill Road. Mr. Bourdon 2nd, all voted in favor.

Mr. Clymer moved the Board approve removal of up to 8 trees on High Street as necessary and Pope Road, regrade High Street towards the Main Street side and relocate approximately 275 feet of stone wall. Ms. Montella 2nd, all voted in favor.

V. Public Hearing – Proposed Zoning Amendments

Mr. Bettez opened the public hearing at 8:00pm. Mr. Bettez explained public hearing procedures. He requested residents only present new information at this time.

Board members discussed zoning amendments:

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. Board members noted rezoning this property to Limited Business would be consistent with zoning of adjacent properties along Great Road. An abutter stated he had questions about enforcement. Board members suggested he submit his questions in writing to Planning Dept. staff as the Planning Board is not charged with enforcement responsibilities.

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

Many Robbins Brook Condominium residents were in attendance for the article. Documents were given to the Board. Primary objections to the article were restated: fire safety, negative environmental impacts, health impacts (specifically wood dust), overall negative impact on the neighborhood and excessive noise. An audience member stated wood dust is typically produced with lumber cutting, not log or fire wood splitting.

Mr. Bartl noted that fire wood is typically cut wet, producing less dust.

Mr. Charter, Town Tree Warden and Arborist, stated a properly sharpened chainsaw produces wood chips rather than dust, which does not travel far. Board members stated the Health Department or Environmental Protection Agency could enforce the noise issues.

Article G and Article O – Amend zoning bylaw – Industrial Uses. Many Robbins Brook Condominium residents were in attendance for the article. A Robbins Brook resident requested screening requirements mirror that of the Solar Photovoltaic Bylaw. Jacob Abraham requested the hours of operation be consistent with other businesses in the area, starting at 7AM Monday-Friday and that setbacks be reduced from 300'.

Article C - Allow limited commercial use of private neighborhood/community recreation facilities.

Article A – Define and regulate donation collection bins. Mr. Yacouby moved to removed Section 3.8.4.6 (requiring screening on 3 sides) and amend the Town's General Bylaw as necessary, Mr. Bourdon 2nd; all in favor.

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 March 5, 2013 at 8:00pm in Room 204, Mr. Yacouby 2nd; all in favor.

VI. Zoning Article – Planning Board Recommendations & Member Assignments

Article A – Mr. Bourdon moved to recommend Article A for Town Meeting approval. Mr. Bettez 2nd, all in favor.

Article B – Board members will discuss Article B further at the continued public hearing of March 5, 2013.

Article C - Mr. Clymer moved to recommend Article C for Town Meeting approval. Mr. Yacouby 2nd, all in favor.

Article D - Mr. Yacouby moved to recommend Article D for Town Meeting. Mr. Dube 2nd, all in favor.

Article E - Board members will discuss Article E further at the continued public hearing of March 5, 2013.

Article F – Mr. Yacouby moved to recommend Article F for Town Meeting approval. Mr. Bourdon 2nd, all in favor.

Articles G & O - Board members will discuss Articles G – O further at the continued public hearing of March 5, 2013.

Article H – Mr. Clymer moved to recommend Article H for Town Meeting approval. Mr. Yacouby 2nd, all in favor.

Articles I through N – Articles are being placed into 1 article. Mr. Bourdon moved to recommend to Articles I through N for Town Meeting approval. Mr. Yacouby 2nd; all in favor.

Article P - Mr. Clymer moved to recommend Article P for Town Meeting approval. Mr. Bourdon 2nd, all in favor.

Board members will discuss member assignments at next meeting.

VIII. The sale of 193 Newtown Road (7 Sarah Indian Lane, Littleton, MA) – Chapter 61B

It is a regulatory procedure for the landowners to file Chapter 61B land sales with the Town for the right of first refusal. Mr. Bettez has asked to be recused from the vote as he owns land abutting the property.

Mr. Yacouby moved to recommend the Planning Board take no action on the O'Neal property (193 Newtown Road); Mr. Bourdon 2nd; all in favor.

The meeting was adjourned at 10:50 PM.