



ACTION PLANNING BOARD

Minutes of Meeting
August 4, 2009
Acton Town Hall, Room 204

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Bruce Reichlen (Vice Chair), Ms. Ruth Martin, Mr. Roland Bourdon, Mr. Ryan Bettez, Mr. Ray Yacoubi, Mr. Jeff Clymer, associate Ms. Leigh Davis-Honn and newest associate Margaret Woolley Busse attended. Also present were Town Planner, Mr. Roland Bartl and Secretary, Ms. Kim DelNigro.

Mr. Niemyski called the meeting to order at 7:33 PM.

I. Citizens Concerns

None raised.

II. Consent Agenda

Consent Item A. Minutes of 06/16/09 was approved and all voted in favor.

III. Reports

CPC: Mr. Bartl reported the committee has created the draft 2010 CP Plan, which is on the website. At this time the committee is in hiatus for the summer and the next meeting will be September 17, 2009

IV. Scenic Road Hearing

Mr. Niemyski opened the public meeting at 7:45pm. Mr. Corey York, Assistant Engineer, of the Town Engineering Department and Mr. Dean Charter, Town Tree Warden, have requested two (2) scenic road hearings under Town General Bylaw Chapter J (MGL Ch 40 Sec 15C).

The first is for a proposed sidewalk on High Street from 30-46 High Street. Mr. York explained the request is being made so that the Town can remove the existing stone wall along the frontage for 30 High Street, excavate the steep slope and construct a retaining wall on private property such that a sidewalk can be constructed along High Street. The Town is also seeking permission to remove one street tree to facilitate the proposed sidewalk. Several other trees on private property will also need to be removed. The existing stone wall serves as the property boundary for this lot. The Town has an agreement with the property owner to complete this work, and the owner has agreed to grant the Town an easement for the proposed sidewalk and retaining wall. The plan calls for a fence on top of the retaining wall and planting of new trees behind it.

The second request is for 81 Taylor Road. Mr. York explained the Town needs to relocate a section of the existing stone wall along Taylor Road. The stone wall is immediately adjacent to the road pavement at the inside of the curve by the Conant School. This stone wall has been an issue for the Town's snowplowing equipment. The wall is located within the public way. It does not mark a property boundary. Mr. York explained the scope of work for this project is to relocate the stone wall further away from the pavement edge to improve safety for drivers, eliminate the problem with snowplows, and restore the grass shoulder that is disturbed during construction.

Questions and concerns raised regarding the High Street proposal included:

- Will the sidewalk be plowed? Mr. York stated the Highway Dept. will maintain it, once completed.
- Maintenance of retaining wall? Mr. York stated it will either be made of reinforced concrete either with or without a stone face. They have reviewed it with a structural engineer to ensure sound construction and long-term stability.

- Stone wall seems high. Mr. York stated that the wall will vary between 3.5 and 6.5 feet above the proposed sidewalk depending on location.
- Concern over pedestrians getting trapped between traffic – possibly jumping the curb – and the retaining wall. Can the sidewalk be constructed higher above the roadway surface? Mr. York explained that this was not possible due to the grades in the area and the need for mail trucks to access mailboxes that will have to remain placed behind the sidewalk. Mr. Bartl noted that a high drop off from the sidewalk to the street would require a guard rail, and that a sidewalk would be a safety improvement for pedestrians over the current situation where there is no sidewalk and no shoulder.
- How does this project relate to the sidewalk plan? Mr. York explained that the sidewalk committee listed this location as a high priority.
- What will be the preferred fence type? Not sure of the aesthetics of a chain link fence. Mr. York stated the choice of the fence is up to the homeowner.
- What is the street tree and can the street tree be saved? Mr. Charter stated that the public shade tree is a 24" oak. He explained how it is not possible to save the tree and construct the sidewalk.

There were no questions or concern stated about the Taylor Road proposal.

The Board voted unanimously to close the public hearing.

Mr. Yacoubi moved to approve both of the draft decisions. Mr. Bourdon 2nd, all voted in favor.

V. Village Land and Expanded Land Purchase Program – Terra Friedrichs

Ms. Terra Friedrichs, Selectmen, was present to discuss the topic of village preservation and land purchase and the ideas about a possible expanded land purchase program to focus on the villages. Ms. Friedrichs explained in her presentation challenges common to many areas, unique changes for the villages, to the desire for preservation, and possible solutions. She explained possible funding methods and mechanics, criteria to purchase, and possible models.

The Planning Board majority stated there is already a process and dedicated funding mechanism in place for open space/park land purchases with the Community Preservation Act and that was no compelling need for yet another program. Rather than just criteria, top priority parcels should be identified, and proposals should be made to the Community Preservation Committee for specific purchases.

Ms. Friedrichs will provide feedback to the Board of Selectmen.

The Board Chairman thanked Ms. Friedrichs for her time and effort on her presentation.

VI. Subdivision Rules and Regulations – Proposed Amendments

Board members reviewed the staff memo regarding proposed amendments to the subdivision rules and regulations. Board had few questions or comments at this time. Mr. Niemyski asked to add a requirement that plan revisions be highlighted in color to prominently distinguish them. Mr. Roland Bartl asked the Board members to further review the proposed amendments and send him separate correspondence of their comments and guidance as needed by the end of August. The next step will be a public hearing sometime in September. Notices will be advertised in the newspaper and sent to local developers and engineering firms.

VII. Open Space Committee Rep. – Ruth Martin

Ms. Ruth Martin explained her difficulty in attending Open Space Committee meetings. She stated the meetings are in the morning when she needs to be on her way to work in Boston.

Mr. Jeff Clymer volunteered to be the Board's Representative.

Other Business:

Mr. Roland Bartl stated the first draft of the scope of tasks for the Comprehensive Plan Process has been completed. Mr. Niemyski noted that Selectmen Rosezweig will attend the next Planning Board meeting regarding this matter and asked for Mr. Bartl to distribute the draft scope to the Board for review.

Mr. Bruce Reichlen stated that he will be moving out of Town and that tonight will be his last Planning Board meeting. He will be sending a letter of resignation to the Town Manager. The Board thanked him for his service to the Town.

Mr. Niemyski stated the Election of Board Officers FY10 are needed; it will be discussed at next meeting.

Mr. Yacoubi moved to close the meeting, Mr. Bourdon 2nd; all in favor; meeting adjourned at 9:18 PM.