



Planning Board

July 21, 2020

7:30 PM

Virtual (Zoom)

Planning Board members present: Derrick Chin (Chair), Jon Cappetta (Clerk), Ray Yacouby and Anping Liu, and Sam Bajwa.

Also present: Robert Hummel, Assistant Town Planner and Ryan Hunt, Town of Acton Tree Warden

1. Opening

Chair Derrick Chin called the meeting to order at 7:38 pm. He read the guidelines for virtual meeting.

The Clerk called the roll: Ray Yacouby- Aye, Sam Bajwa- Aye, Anping Liu - Aye, Jon Cappetta- Aye, and Derrick Chin- Aye. Unanimous (5-0)

2. New/Special Business

I. Public Hearing 20-03 – Public Hearing, Sign Special Permit Application – 436 Great Road

The Chair opened the hearing at 7:42 pm.

The applicant presented an overview of his special permit application for a wall sign for the business to replace the previous wall sign.

After consultation with staff and discussion, the board found the special permit application to be consistent with the bylaws. The Board closed the hearing at 7:49.

Mr. Yacouby moved, Mr. Cappetta seconded, and the board unanimously (5-0) voted to approve the draft special permit decision presented by staff at the meeting and to delegate the Planning Division to issue the draft decision on the board's behalf. The Clerk called roll: Ray Yacouby- Aye, Sam Bajwa- Aye, Anping Liu - Aye, Jon Cappetta- Aye, and Derrick Chin- Aye. Unanimous (5-0)

II. Combined Public Shade Tree and Scenic Road Public Hearing - 46 High Street

The Chair opened the hearing at 7:52 pm.

This was a joint public hearing between Ryan Hunt, Acton Tree Warden and the Planning Board. The Planning Board is the host of the Shade Tree public hearing on behalf of the Tree Warden. Paul Kirchner on behalf of the applicant presented an overview of the request to remove two shade trees that are in the town's right of way and relocate 32 feet of stone wall south on High Street on the same property.



There were comments from the public regarding compensation for trees and a landscape plan. The public asked the Planning Board for more compensation for the trees and seeing a landscape plan incorporated into the decision.

The Board closed the combined public hearing. Mr. Yacouby moved, Mr. Cappetta seconded and the board unanimously (5-0) voted to approve the relocation of 32 feet of the stone wall. The Clerk called roll: Anping Liu – Aye, Sam Bajwa- Aye, Ray Yacouby- Aye, Jon Cappetta- Aye, and Derrick Chin- Aye.

Mr. Yacouby moved, Mr. Bajwa seconded and the board unanimously agreed to delegate the Planning Division to draft and issue the decision on the board's behalf. The Clerk called roll: Sam Bajwa- Aye, Anping Liu – Aye, Jon Cappetta- Aye, Ray Yacouby- Aye, and Derrick Chin- Aye.

III. Review and Vote on the PB 20-02 46 High Street Definitive Subdivision decision

The board reviewed the draft decision that the Planning Division prepared for the 46 High Street Definitive Subdivision.

Mr. Yacouby moved, Mr. Chin seconded and the board unanimously approved the draft decision as presented. The Clerk called roll: Anping Liu – Aye, Sam Bajwa- Aye, Jon Cappetta- Aye, Ray Yacouby- Aye, and Derrick Chin- Aye.

IV. Regular Business

a. Citizen Comments

Residents voiced their displeasure and asked questions in reference to the 180 Newtown Road PCRC.

b. Previous Meeting Minutes

Mr. Yacouby moved to approve the 05/04/20 meeting minutes with a slight amendment to Anping arriving late to the public BoS meeting. Mr. Cappetta seconded. The Clerk called roll: Ray Yacouby- Aye, Anping Liu - Aye, Sam Bajwa- Aye, and Jon Cappetta- Aye, Derrick Chin- Aye. The vote was (5-0)

c. Election of Officers

Mr. Yacouby moved to nominate Mr. Chin as Chair, Mr. Bajwa seconded. Mr. Chin moved to nominate Mr. Yacouby as the Vice-Chair, Mr. Cappetta seconded. Mr. Chin moved to nominate Jon Cappetta as the Clerk, Mr. Bajwa seconded. The Clerk called roll: Ray Yacouby- Aye, Anping Liu - Aye, Sam Bajwa- Aye, and Jon Cappetta- Aye, Derrick Chin- Aye. The vote was (5-0)

d. Nominate & Appoint Representative to the DRB

The board discussed this appointment and Mr. Chin offered to attend an upcoming DRB meeting to discuss the request of appointing a Planning Board member to the Design Review Board. .

e. Reports & Administrative Updates

Mr. Hummel notified the Planning Board that there is an upcoming Planning Board meeting on August 18.



Adjournment

The Chair called for a motion to enter into Executive Session to discuss strategy with respect to litigation captioned Hryniewich v. Coughlin, Civil Action No. 18 MISC 000668 (Mass. Land Court)."

Mr. Yacouby: So moved.

Mr. Cappetta: Second.

The Chair stated, "Before the roll call vote to enter executive session, let me declare that, in the executive session, the Board will discuss this litigation as discussing it in an open meeting may have a detrimental effect on the litigating position of the Town."

The Chair invited the Clerk to call the roll." The Clerk called roll: Anping Liu - Aye, Jon Cappetta- Aye, Sam Bajwa- Aye, Ray Yacouby- Aye, and Derrick Chin- Aye. Unanimous (5-0)

Chair stated, "At the conclusion of the executive session, the board will not reconvene in open session."

At 8:55 PM the Planning Board adjourned the public meeting and to go into executive session.

Respectfully Submitted,
Robert Hummel
Assistant Town Planner

Documents used at the meeting:

- 7.21.2020 Planning Board Agenda
- DRAFT 05.04.20 Planning Board Joint BOS Minutes
- Sign Special Permit application for 436 Great Road Material
- 436 Great Road Draft Decision
- PB 20-5 - 46 High Street Combined Public Shade Tree and Scenic Road Public Hearing Material
- 46 High Street Draft Decision
- Planning Division Memos

Also see link for more information: <http://doc.acton-ma.gov/dsweb/View/Collection-11685>