



## ACTON PLANNING BOARD

**Minutes of Meeting  
July 08, 2008  
Acton Memorial Library**

Planning Board members Mr. Greg Niemyski (Chairman), Ms. Ruth Martin, Mr. Bruce Reichlen, Mr. Alan Mertz, Mr. Roland Bourdon and Mr. Ryan Bettez attended. Also present were Town Planner, Mr. Roland Bartl and Secretary, Ms. Kim DeINigro.

Absent was Mr. Michael Densen.

Mr. Niemyski called the meeting to order at 7:34 PM.

### **I. Citizens Concerns**

None raised.

### **II. Consent Agenda**

Consent Item A. Minutes of 6/10/08, Item B. Centennial Lane – Private Way Covenant and Item C. Sweeney Farm Lane – Bond Release were approved and all voted in favor.

### **III. Reports**

Open Space: Ms. Ruth Martin discussed a few parcels of land the committee is interested in.

CPC: Mr. Bourdon reported the committee discussed sidewalk easement and restrictions to the CPA Act. Mr. Bourdon stated the new CPA application deadline is November 10, 2009 and the next meeting will be July 10.

### **IV. The Residence at Quail Ridge – Supplemental Special Permit to decide on Access – PH**

Mr. Niemyski opened the public hearing at 7:45pm. Mr. Niemyski stated the meeting was being taped for Mr. Densen and the two new associate members for participation in the next meeting for voting. Mr. Niemyski stated that if a member misses two meeting, they will be out of option to participate.

Mr. Niemyski mentioned the procedure for the process of the public hearings. Tonight's discussion will be limited to the first item in the decision about the developer making a "good faith effort" to gain alternative street access through the Great Road Condominiums. The next steps and future meetings will discuss access through Acorn Park, peer review of traffic studies, emergency access and conditions. Mr. Niemyski wants to have a full sitting board.

Mr. Steve Graham, of Graham & Harsip, P.C, Robert Woodland, of Woodland Design Group, representative of Acorn Park Condominium and several Acorn Park neighborhood residents were present.

Mr. Graham reviewed the items in the decision. Mr. Graham feels the original plan has met all the Subdivision Rules and Regulations. He had provided supplemental information to address the first item (Great Road Condominium Access) and feels he has addressed the issues. Mr. Graham discussed the respond from Great Road Condominium Association that they feel allowing access through their property is not the step that they would like to undertake. In the view of the Condominium Trustees there would be no clear benefits to Great Road in undertaking this project.

Mr. Reichlen moved to accept the conclusions of the applicant that the access of Great Road Condominiums is not a viable alternative and therefore move onto the rest of the process, Ms. Martin 2<sup>nd</sup>. Vote: Mr. Niemyski, Ms. Martin, Mr. Mertz, Mr. Reichlen, Mr. Bourdon and Mr. Ryan Bettez in favor. Motion carried 6-0.

Mr. Niemyski stated the next steps in the process for the supplemental application is obtaining two professionally prepared peer reviews and risk assessments.

- A feasibility of two gated emergency access vs. full secondary access through Acorn Park, which is stated in the Decision 08-02 in Condition 3.2.3 Part B (for traffic impacts and management).
- A full secondary street access alternative through Acorn Park, which is stated in Decision 08-02 in Condition 3.2.3 Part C (for fire safety, emergency response, and emergency access/egress).

Mr. Niemyski moved to continue the public hearing on July 22, 2008 at 7:45 PM in the Acton Memorial Library. The Planning Board voted all in favor, and the applicant agreed to the extension.

#### **V. Paulina Knibbe – Sidewalk Committee Priority List**

Paulina Knibbe of the Sidewalk Committee explained the Board of Selectmen created an advisory committee due to the growing desire for more sidewalks in Acton. The committee was asked to create a set of criteria that could be used to evaluate sidewalk construction projects, then to use the criteria to evaluate sidewalk construction projects and create a priority list.

Mrs. Knibbe reviewed the committee's task for this fiscal year projects. She stated the first components include the need criteria of population, safety considerations and connectivity issues. The committee evaluated the need criteria results and selected a set of 23 streets to evaluate more deeply.

Mrs. Knibbe explained the next step was to evaluate the viability of the projects remaining on the list. They developed the viability criteria and applied the neighborhood support or opposition, financial considerations, easements, environmental issues and scenic and historic route issues. She stated a secondary and tertiary pool list has been created as well. It consists of sidewalks of significant merit but did not rise to the level of sidewalks that were selected in the priority list.

Mrs. Knibbe stated the committee will be bringing the priority list to next Annual Town Meeting and would like to see all easements granted and would like to receive full support from the Board. The Board Chairman stated the committee will have full support from the Planning Board. He thanked Mrs. Knibbe and members for their work and time.

#### **VI. Annual Oversight Meeting with Board of Selectmen – July 14; 8:00 PM**

Staff stated there is an oversight meeting on 7/14/08 at 8:00PM. Most Planning Board members signaled they are available to attend the Selectmen's meeting. Items to discuss: new memberships and the next Planning Board chairman.

#### **Other Businesses:**

Mr. Bartl discussed the Comprehensive Permit of Alexan Concord. It is a 350 unit residential 40B development to be located in Concord on the Acton, Sudbury and Maynard town lines on a single access on Sudbury Road. Currently, the Concord Board of Appeals has granted the development. Mr. Bartl stated special counsel has been acquired for the Acton Board of Appeals. Mr. Bartl mentioned there are no benefits for the Town of Acton. It is only for access. The Acton Board of Appeals has continued the public hearing to July 14, 2008 @ 7:30pm at the Public Safety Facility.

Mr. Bruce Reichlen had asked at the next meeting to discuss the Board memberships. He suggested Mr. Niemyski to be chair. Mr. Mertz stated to mix it up and have memberships to rotate and should wait for the next meeting for Mr. Densen to vote.

Mr. Bourdon moved to close the meeting, Ms. Martin 2<sup>nd</sup>; all voted in favor.

The meeting adjourned at 9:46 PM.