



## ACTON PLANNING BOARD

### Minutes of Meeting August 7, 2012 Town Hall – Faulkner Room 204

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

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

#### **Other Business**

Planning Board members signed 2 documents for the Registry of Deeds and Land Court records: 1<sup>st</sup> document is the Notification of the Appointment of Board members; 2<sup>nd</sup> is the renewal that is given to Mr. Bartl to sign on behalf of the Planning Board regarding the Ch. 40 & Ch 41A of the Zoning Act Law and the Subdivision Law.

#### **I. Citizens Concerns**

None raised.

#### **II. Consent Agenda**

The draft minutes of 6/19/2012 were approved as amended; 2<sup>nd</sup>; all in favor.

#### **III. Reports**

**Acton 2020:** Ms. Busse reported the need to recruit new members; will resend the email. Next meeting is scheduled for 9/5/12.

Mr. Bartl reported on the MassWorks Grant to apply for the improvement for Kelley's Corner. Focus on the intersection, traffic signal poles, ramps to comply with handicap issues and underground utilities. Mr. Bartl stated he is meeting with MassDot District 3 in early September.

#### **IV. Continuation of PH – Central Street PCRC**

Mr. Bettez opened the public hearing at 7:45 PM.

Mr. Bettez appointed Mr. Bukowski to sit as a full Board member for this matter.

Mr. Drew Garvin, E.I.T. of R. Wilson & Associates, and Mr. Jim D'Agostine and Mr. Steve Marsh of Mt. Laurel Realty (aka Westchester Company) were present.

Board members discussed the additional information regarding the discrepancy of the property line. Mr. Garvin stated Mr. Marsh does not accept the line but will work in cooperation with the town, abutters and residents to provide a layout that recognized their concerns. Giving an additional buffer for conservation land and the common driveway easement.

Mr. Garvin asked if, in an effort to reach an acceptable compromise, the of the common driveway easement area can be used in the overall common land uplands calculation in lieu of the land relinquished with the disputed area. Mr. Bartl explained that zoning does not provide such flexibility and suggested that the disputed area could be counted towards the common land upland area.

Mr. Marsh suggested reducing the project to 2 single family homes might also help.

Board members had the following comments/questions regarding:

- How wide is the walking trail?
- How wide is the driveway easement?
- Property in question could be included within the calculations for open space.

Punch list for applicant to work on for hearing continuation:

- Create Central Street entrance to be 40'.
- Create clear delineations and calculations for the common land.
- Deed disputed land over to the Town/Cemetery (confirmatory deed).
- Work through wetlands (Conscom) issues and trail locations with Mr. Tidman.

A motion was made to continue the public hearing to September 18, 2012 at 7:45pm in the Town Hall, Faulkner Room 204; and to extend the decision deadline to December 17, 2012, 2<sup>nd</sup>, agreed to by the applicant, and passed unanimously.

#### **V. Election for Pl. Board Officers**

Chairman – Mr. Ryan Bettez

Vice Chairman – Mr. Jeff Clymer

Clerk – Ms. Margaret Woolley Busse

#### **VI. Appt. Ellsworth Village (Fenton, timed appointment)**

Mr. Fenton requested an appointed time to meet with the Planning Board regarding 2 walk ways (pedestrian accesses) required in the Planning Boards special permit and shown the approved plan. 1<sup>st</sup> walkway would be from Ellsworth Village to Town land behind the Brookside Shops and the 2<sup>nd</sup> walkway would be from the end of Brabrook Road to Wetherbee Plaza on Great Road in the East Acton Village.

Mr. Fenton stated that the Ellsworth Village Condominium Association voted its preference that the walkways be eliminated. Mr. Fenton submitted a letter from the Ellsworth Village Condominium Association. Mr. Fenton stated he does not wish to build them either and that he has legal concerns about them.

Mr. Clymer motioned to require the easement for the pathway to the Town, Mr. Yacouby 2<sup>nd</sup> but stated no requirement to construct the pathway, all in favor.

Mr. Yacouby moved for Mr. Fenton is not required to build. Motion was not seconded.

Ms. Busse suggested to review more information and that Board members view the site and walk it by 8/21/12. Board members decided to revisit the item at the next meeting on 8/21/12.

#### **VII. Discussion – Zoning for Outdoor Merchandise Display and Sales – EDC feedback**

Board members briefly reviewed staff documents and revisit the item at the next meeting on 8/21/12.

Motion to adjourn the meeting, 2<sup>nd</sup>, voted at 9:45 PM.