



R E C E I V E D

MAY 31 2013

TOWN CLERK, ACTON

ACTON PLANNING BOARD

Minutes of Meeting  
May 7, 2013  
Acton Town Hall  
Room 204

Planning Board members attending: Mr. Ryan Bettez (Chairman), Mr. Jeff Clymer (Vice Chair), Mr. Roland Bourdon, Ms. Kim Montella, Mr. Ray Yacouby, Mr. Derrick Chin, Associate member Michael Dube. Also present: Assistant Planner Ms. Kristen Domurad-Guichard and Planning Board Secretary Ms. Kim Gorman.

Absent: Ms. Woolley Busse 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.

**I. Citizens' Concerns** Ms. Renee Robins and Mr. Brad Botkin, 53 Windsor Avenue, asked to discuss the citizens' petition for a temporary moratorium on construction in the Village Residential zoning district and the past history of the Village Residential zoning district. Mr. Bettez stated the moratorium will be discussed at the May 30, 2013 public hearing, but an article relating to the Village Residential District will be discussed later on the agenda

**II. Consent Agenda – Draft Minutes of 04/23/13**

The minutes of 04/23/13 were approved as amended.

**III. Reports**

**DRB** – Ms. Montella reported the Committee met with the representatives for Panera Bread to discuss their proposal to locate at the former McDonalds site in Kelley's Corner. The DRB gave some suggestions.

**CPC** – Mr. Bourdon reported the Committee would be voting their recommendation for the acquisition of the Anderson Property at their upcoming meeting.

**EDC** – Mr. Chin reported the Committee discussed 20 Main Street (former Paper Store Building) property and related parking issues.

**IV. PH - Zoning Amendments**

Mr. Bettez opened the public hearing at 7:45pm. Mr. Bettez explained public hearing procedures. Board members discussed zoning amendments:

**Article ZA** – Signs and Advertising Devices  
Board members reviewed documents.

**Article ZA Part A –**

Board members decided to post-pone their discussion and recommendation to the May 30, 2013 Public Hearing meeting. Board members requested further background information.

**Article ZA Part B –**

Board members recommend moving this item to consent.

**Article ZB** – Allow bulkheads in setbacks.

Board members were not in support of this article. Members stated they felt a bulkhead was part of the structure. Mr. Clymer motioned not to recommend, Mr. Bourdon 2<sup>nd</sup>; all in favor.

Mr. Bettez reported to leave open public hearing and continue at 8:30pm to hear other agenda items.

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Approved: Yes

**Article ZC** – Two-Family Dwellings in the Village Residential (VR) District).

Windsor Avenue residents were in attendance for the article. Primary objections to the article were stated: antique homes, duplexes do not belong in VR, overall negative impact on the neighborhood, not clear on why the bylaw changed and destroying existing land use patterns.

Mr. Roland Bourdon motioned to recommend the article, Jeffery Clymer 2<sup>nd</sup>, all in favor. Board members directed staff to revise the summary for further clarification.

**Article ZD** – Provide for Bicycle Parking

Board members stated this article should be held off for a future town meeting. Mr. Clymer motioned not to recommend, Mr. Bourdon 2<sup>nd</sup>; all in favor.

**Article ZE** – Donation Collection Bins

Mr. Bettez stated the Board of Selectmen has taken the Article off the table and has voted to take no enforcement action at this time.

**Article ZF** – Ratify Typographical Corrections

Mr. Clymer motioned to recommend and place the article on consent, Mr. Bourdon 2<sup>nd</sup>; all in favor.

**V. Rafanelli & Kittredge, P.C. – Amendment to Sign Special Permit – continued discussion**

Ms. Toni Rafanelli and Ms. Kimberly Ryan were present.

Ms. Ryan explained the requested relief from Section 7.4.3.5 (permitting illumination from top down only) through Section 7.13.9 to allow illumination from the ground up.

Board members reviewed a memo from the Zoning Enforcement Officer who determined the new location of the sign is in compliance with the Bylaw. Ms. Domurad-Guichard reported that previously mentioned businesses in North Acton Village: Upstairs/Downstairs, Now & Then, and Teamworks have lighting that is either legal pre-existing non conforming or have not applied for a permit. The Board found that sign lighting options from the top down are limited for Rafanelli & Kittredge without increasing the height of the Sign.

Mr. Yacouby noted the Bylaw's limitation on lighting output should be stated in the decision.

Mr. Clymer moved to approve as amended, Mr. Yacouby 2<sup>nd</sup>; all in favor.

**VI. Zoning Reform – Discussion**

Ms. Lauren Rosenzweig Morton requested feedback from the Board as she is testifying on behalf of the Town on House Bill 1859: An Act Promoting the Planning and Development of Sustainable Communities. Board members discussed the proposed legislation and voted unanimously to support the article.

**VII. Other Business**

**Vote/Approve Draft Decision – 429 Great Road, Pegasus Farm Tack Shop SSP**

Board members reviewed and discussed the draft Decision and had the following comments:

Remove Rob Bukowski and add Mr. Jeff Clymer as present for the decision.

Remove the "s" on signs in Section 3.2.2.

Mr. Bourdon moved to approve the decision as amended, Ms. Montella 2<sup>nd</sup>; all in favor.

**Land Acquisition, Anderson Property – Vote**

Board members reviewed and discussed the documents.

Mr. Yacouby motioned to recommend the Town exercise their right of first refusal for the property, Mr. Bourdon 2<sup>nd</sup>; all in favor.

**Schedule Future meeting with ACHC**

Board members directed staff to invite the ACHC to the June 18 meeting.

**Zoning Citizens Petition**

Board members reported the public hearing for the zoning citizen's petition and continued hearing on ZA part A will be on May 30, 2013. Board members cancelled the May 21 and June 4 meeting.

**Administrative Update**

Board members reviewed and discussed the rejected application for endorsement of a plan believed not to require approval (ANR) for 116-120 Newtown Road. Board members reviewed Mr. Bartl's letter explaining his reasons for the rejection and suggested remedies. .

Mr. Yacouby motioned to support Mr. Bartl's denial of the ANR plan, Mr. Bourdon 2<sup>nd</sup>; all in favor.

The meeting was adjourned at 9:22 PM.

Respectfully Submitted,  
Kim Gorman