



ACTON PLANNING BOARD

Minutes of Meeting
September 17, 2013
Acton Town Hall
Room 204

Planning Board members attending: Mr. Jeff Clymer (Chair), Mr. Michael Dube (Clerk), Mr. Roland Bourdon, Mr. Ray Yacouby and Mr. Derrick Chin. Also present: Planning Director Mr. Roland Bartl and Planning Board Secretary Ms. Kim Gorman.

Absent: Mr. Rob Bukowski.

Mr. Clymer called the meeting to order at 7:30 PM.

I. Citizens' Concerns

None

II. Consent Agenda – Draft Minutes of 07/16/13

The minutes of 07/16/13 were approved as amended.

III. Reports

CPC – Mr. Bourdon reported the Committee has completed the draft 2014 Community Preservation Plan, which is on the Town website and applications are due November 12, 2013.

EDC – Mr. Chin reported the Committee discussed the history of zoning changes in the Kelley's Corner and West Acton Village.

WRAC - Mr. Clymer reported the committee making progress on the draft storm water bylaw. Mr. Clymer also attended a storm water planning and management meeting with neighboring towns.

IV. Public Hearing – The Residences at Constitution Drive (27 Jackson Drive) Definitive Subdivision Plan

Mr. Clymer opened the public hearing at 7:45pm.

Mr. George Dimakarakos, of Stamski & McNary, Inc. presented on behalf of the applicant and described the definitive subdivision plan:

The proposal is a residential compound subdivision for five lots in accordance with the Acton Subdivision Rules and Regulations, using much of the existing driveway for the proposed cul-de-sac street. A storm water management report and a storm water operations and maintenance manual was provided. Two alternative pavement layout plans were also provided. The existing house would be moved to a new location. The new homes will be served by separate septic systems.

Mr. Dimakarakos reviewed and addressed staff department comments and neighbors' concerns. He explained the proposed storm water design and the methodology by which it was prepared using industry standards and compliance with Massachusetts Department of Environmental Protection (MassDEP) Storm water Management Standards.

Residents in attendance raised questions and concerns regarding:

- Roadway setbacks to wetlands.
- Possible blasting.
- Existing septic systems and current private wells.
- Drainage.
- Grading changes.
- Effect of tree removals and slope changes on water runoff.
- Look, density, traffic, property values.

Following Mr. Dimakarakos' answers to the questions raised and further discussion the Board voted unanimously to close the public meeting.

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Staff will create a draft decision for the Board to review at the next meeting.

V. Public Hearing – 5 Craig Road – Cell Tower Application

Mr. Clymer opened the public hearing at 8:45pm and immediately continued to 9:00pm (to conclude the previous public hearing).

Mr. Brian Grossman, Esq. from Prince, Lobel, Tye, LLP, representative for the applicant, SBA Towers II, LLC; Mr. Anoop Jaikumar, Radio Frequency (RF) Engineer for AT&T Wireless; Ms. Julie Riley, freelance court reporter from Eppley Reporting, and Mr. David Maxson from Isotrope Wireless (Planning Board consultant), and several abutters and members of the public were present. Ms. Riley will prepare a full transcript of the hearing pursuant to the Acton zoning bylaw.

Mr. Clymer summarized the Federal Telecommunications Act of 1996, the MA Zoning Act (MGL Ch. 40A), and the Acton zoning bylaw as they pertain to the regulation and permitting of cell towers. Mr. Maxson of Broadcast Signal Lab explained he has been hired by the Town (and paid for by the applicant) to provide technical/expert review of the proposal to noted that in 2010, the Applicant had applied for a wireless facility permit at this same location; the application failed because there was no eligible tower tenant.

Mr. Grossman reviewed and explained the special permit application. The applicant seeks to construct a 110' monopole style tower to service a significant gap in AT&T's wireless coverage. Mr. Grossman reviewed the proposed facility, application documents, balloon test report, and review comments. The monopole tower as proposed has external standard antennae disguised as a tall pine tree. The applicant is requesting the Board's consideration of this design in accordance with the zoning bylaw.

Mr. Maxson summarized his report and noted the following questions: which frequency bands are being used; which gap are they trying to serve and/or coverage trying to improve coverage.

Mr. Maxson stated if the public hearing continues, he would need revised info from the applicant's to do his own research.

Abutters in attendance raised questions and concerns regarding:

- Capacity needs, quality and signal strength.
- There are more capable sites identified from the last application.
- No noted coverage issues in the area.
- Affect on property values.
- What is difference between network and coverage; between voice and data.
- AT&T public website indicates coverage within that area.
- State land along the tree border is higher; and there are better locations.
- Should use existing structures.

Board members discussed continuing the public hearing for more information, data and analysis.

Mr. Maxson suggested he can work with the radio engineers for certain inputs and do further test drives. Mr. Bourdon motioned to continue the public hearing on October 15, 2013 @ 8:00pm in the Acton Town Hall, Room 204, Mr. Yacouby 2nd; all in favor.

VI. AvalonBay – Decision Amendment of Woodlands at Laurel Hill

Mr. Steven Gorning and Mr. Scott Dale of AvalonBay Communities, and Steven Schwartz of Gulston & Storrs were present. Mr. Gorning presented his request for an Amendment to the original decision of the Woodlands at Laurel Hill Senior Residence Special Permit. Lot 4 was permitted for 64 home ownership age restricted, 55+, townhomes. Obstacles to the development and/or sale of the project are the occupancy restrictions of the special permit which require all residents in a unit to be 55 years of age or older, limit total occupancy to no more than two persons per unit, and limit overnight guest to a maximum of a two-week stay.

Mr. Gorning asked for the replacement of the pertinent sections in the permit to mirror the requirements in the more recent permit for the Residences at Quail Ridge: at least one individual per unit aged 55 years or older;

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occupancy limit to be removed (still subject to standard State/health/building code limits) and extend the overnight guest stays.

Following review and discussion, Mr. Yacouby motioned for the Board to approve the changes as requested and recommended in the staff memo; Mr. Dube 2nd; all in favor.

VII. Other Business

CPC Rep – Mr. Clymer motioned to have Mr. Bourdon to be the CPC rep; Mr. Yacouby 2nd; all in favor.

DRB/PB Liaison – New Rep – Mr. Bourdon motioned to have Mr. Clymer to be the DRB rep; Mr. Yacouby 2nd; all in favor.

The meeting was adjourned at 11:15 PM.

Respectfully Submitted,
Kim Gorman