



ACTON PLANNING BOARD

**Minutes of Meeting
February 17, 2015
Acton Town Hall
Room 204**

Planning Board members attending: Mr. Jeff Clymer (Chair), Mr. Ray Yacouby, Mr. Rob Bukowski, Mr. Michael Dube and Mr. Derrick Chin.

Also present: Kristen Guichard, Assistant Town Planner and Kim Gorman, Planning Board Secretary

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

Mr. Clymer welcomed Mr. Bharat Shah to the Planning Board. He will become an official member when the Board of Selectmen vote at their next meeting.

I. Citizens' Concerns

None

IIA. Consent Agenda – Draft Minutes of 2/03/15

The minutes of the February 3, 2015 meeting were approved as amended.

III. Reports

CPC – The Committee is reviewing many CPA applications and getting ready for Annual Town Meeting.

EDC – The Committee is working on the goals and objectives.

Open Space – The Committee is reviewing different properties in town. A PCRC application will be coming to the Board for review. More updates to come.

Acton 2020 – The Committee has assigned liaisons to various boards and committees and a new member has been appointed to the Committee.

IV. – Public Hearing – Wetherbee Plaza Units 1, 2, 3 107 - 115 Great Road – Sign Special Permit

Mr. Clymer opened the public hearing at 7:45pm. Mr. Leo Bertolami, applicant/owner, described the request for the sign special permit:

Mr. Bertolami is applying for three (3) wall signs for the Wetherbee Plaza II building at 107 Great Road which read "Northeast Collections". Mr. Bertolami displayed license certificates for all the businesses located at the address registered with multiple Town and State agencies.

Ms. Guichard explained that the Town previously determined that the Northeast Collections business was not an allowed use in the EAV District. Therefore, the Zoning Enforcement Officer denied his first application for the Northeast Collections signs because the business use was not allowed in the EAV District. The Zoning Bylaw does not allow the Northeast Collections principal use as defined at that location as it includes display and sale of automobiles and only allowed uses are permitted signs. Mr. Bertolami disagreed with this ruling and has brought suit with the Town which is currently on going.

Mr. Bertolami is also requesting a second free standing sign for 115 Great Road, Atir Natural Nail Care Clinic and one wall sign for Milldam Leasing at 107 Great Road.

Ms. Guichard explained the application Mr. Bertolami submitted lacked sufficient information for the Planning Department staff to review. (See comments in memo dated February 11, 2015 and email to Mr. Bertolami dated January 6, 2015 at the following location - <http://doc.acton-ma.gov/dsweb/View/Collection-6567>)

The Board voted unanimously to keep the public meeting open. Ms. Guichard will confirm with Town Counsel whether Mr. Bertolami can redefine his Northeast Collections business to an allowed use in the EAV District while litigation is on-going and if so could the Board then consider the Northeast Collections sign special permit application.

Mr. Bertolami will produce all required application information for the Board to adequately consider the special permit requests for the Milldam Leasing and Atir Natural Nail Care Clinic and if applicable the Northeast Collections signs. Mr. Bertolami agreed to continue the hearing to March 3, 2015 at 8:00pm.

V. – Public Hearing – Brookside Shops – zoning change for ATM - Continuation Mr. Clymer opened the public hearing at 8:35pm. Mr. Graham Knowland, an abutter; and Mr. Peter Berry of the Board of Selectman were present.

Mr. Knowland is looking for the most updated approved site plan, more tree plantings and trash haulers to comply. He would like to see the Town and Police enforce the trash haulers.

Ms. Guichard noted that Ms. Lynch provided a plan which was forwarded to Mr. Knowland with a revised date of September 24, 2001 which shows a much more robust landscape plan in comparison to the original plan.

An interdepartmental communication memo was presented from 2001 from Tom Tidman and Dean Charter regarding the Brookside Shops – Revised Landscaping Review. Memo was reviewed and discussed.

Board members reviewed the documents and have agreed to recommend the article once an agreement and bond is in place or the following items are addressed:

A quote regarding adding more trees once the number of trees required is determined, adding surveillance cameras, installing the gate and bollard.

Ms. Lynch was not present due to a work emergency and will need to follow up with a letter of intent regarding the issues and conditions for the site to come into compliance.

Mr. Berry questioned if the Board of Selectmen would need to amend the Site Plan Special Permit.

Ms. Guichard will confirm proper procedure.

The Board voted unanimously to keep the public meeting open and continue to March 17, 2015 at 8:00pm.

VI. Other Business

Ms. Guichard stated the next Housing Production Plan Forum is May 14, 2015 and the Planning Board is strongly encouraged to attend as they will ultimately need to adopt the plan.

The meeting was adjourned at about 9:12 PM.

Respectfully Submitted,
Kim Gorman
Planning Board Secretary