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**MINUTES OF THE HEARING ON THE PETITION OF HEARING # 09-04
RICHARDSON CROSSING LLC, 113 CENTRAL STREET**

A public hearing of the Acton Board of Appeals was held in the Town Hall on Monday, March 10, 2010 at 8:30 pm on the petition by Richardson Crossing, LLC for approval of a Comprehensive Permit on a parcel located at 113 Central Street, Acton, MA, Parcel 123 on Map G-2 of the Acton Town Atlas. The petitioner proposes four single family dwelling units with one of the units being affordable.

Present at the hearing was Ken Kozik, Chairman; Jonathan Wagner, Member; Richard Fallon, Alternate member; Scott Mutch, Assistant Town Planner and Cheryl Frazier, Board of Appeals Secretary. Also present was the Petitioner, James D'Agostine, and multiple abutters to the property.

Ken Kozik reconvened hearing # 09-04. He asked if there were any new submissions since the last hearing. The last time the Board met the developer was asked to submit architectural stamped plans which he has submitted tonight.

John Horan of 101 Central Street, wanted to make a point regarding the density of this project. He said the proposed homes are only five feet apart. He continued by saying it's all about squeezing as much as possible onto one lot.

Rick asked the abutter to 113 Central about the screening for this project from his property. The abutter responded he wasn't sure because he didn't know what was in front of the board as far as the final plans.

Scott Mutch found the Landscape Plan that was dated January 6, 2010 with ten six to eight foot spruce trees and vinyl fencing. He then located the Site Development plan dated January 19, 2010. The Board asked Mr. D'Agostine if he would agree to cedar fencing instead of vinyl. He and the abutter agreed to that. Mr. D'Agostine said as far as design they have tried to do what the various town boards and committees have advised them to do. The density is no worse than what is there now. There are already duplexes, an apartment building and a gas station in this neighborhood. He added that he feels once this project is built and landscaped it will fit into the neighborhood.

John Horan, 101 Central Street. There are duplexes in the neighborhood but they are much smaller and on smaller lots.

Ken Guditz of 81 Central Street wanted to support John Horan's comments. He said the duplexes across the street are much smaller buildings on smaller lots. The duplexes are probably smaller than the proposed houses.

Mr. D'Agostine stated that the duplexes across the street are two bedrooms and the homes he's proposing are three.

Ken made a motion to close hearing # 09-04. Jon so moved and Rick Fallon seconded the motion. The Board voted to close the hearing.

The Board began deliberations.

- There was consensus agreement that the developer had done everything that the Board of Appeals and other municipal agencies had asked him to do.
- There was unanimous consensus that there were no outstanding health or life safety issues. The developer had sufficiently addressed all previously identified concerns.
- There was discussion on how this project was set back from the road and up on a hill. It wasn't obtrusive to neighboring properties.

Ken asked for a motion to grant the 40B Comprehensive permit, for 113 Central Street with the condition that the proposed vinyl fencing being replaced with cedar material. Jon Wagner so moved, Rick Fallon seconded, the Board voted **unanimously** to **GRANT** the Comprehensive Permit.

Respectfully submitted,



Cheryl Frazier
Board of Appeals Secretary



Ken Kozik
Chairman, Board of Appeals