

## PLANNING BOARD • Town of Acton

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### PLANNING BOARD MINUTES

Monday, May 22, 1989

Acton Town Hall

RECEIVED & FILED

DATE Oct. 4, 1989

*Catherine Belknap*  
*Asst. TOWN CLERK, ACTON*

Planning Board members present: Quint Brathwaite, Chairman; Rob Block, Vice Chairman; Mary Giorgio, Clerk; Doug Carnahan; Greg Niemyski.

Staff present: Timothy Smith, Assistant Town Planner.

I. REVIEW OF PLANNING BOARD MINUTES: The Planning Board reviewed and approved the minutes from previous meetings.

II. REDLINE CHANGE - AUTUMN LANE: Richard Massarelli summarized his request for a redline-change for his Autumn Lane Subdivision. He asked the Board to allow him to change the plan so that the sidewalk ended at the cul-de-sac's turnaround rather than going halfway around the turnaround before ending. The Board unanimously approved the redline change as authorized by David Abbt the Engineering Administrator.

III. BOND REDUCTION, REDLINE CHANGES AND OTHER BUSINESS - STONEYMEAD: The Board reviewed David Abbt's calculation of a new bond amount. Mrs. Giorgio stated that she had received a legal opinion that the Board was legally obligated to adjust the bond amount to reflect the work done. Mark Gallagher, the developer of Stoneymead, told the Board of his past experiences with adjusting the bond amounts of other subdivisions he had developed. He emphasized that these developments were similar to Stoneymead and that he had never had a problem in the past. Mr. Galleger stated that he would be willing to give the Board a letter from his bank that would say that the money released would go right to the contractor to pay for the road work completed. The Board voted to release monies from the bond in the amount of \$338,000 contingent on the submission of the aforementioned letter. One Board member abstained from voting.

Mr. Galleger next presented his redline change for the elevation of Stoneymead Way. He explained that the elevation of the street would be raised only in some locations from 2 to 6 inches. Mr. Brathwaite asked if the lots would also be raised. Mr. Gallagher replied that he would make sure that the sidelines would match. The Board voted to approve the redline change as submitted.

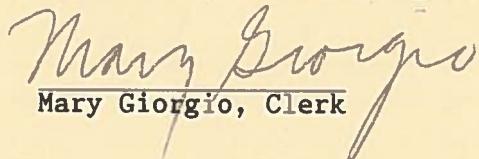
Mr. Gallagher presented a second redline change for Stoneymead. He proposed to move the stump dump to another location, resulting in less trees being cut down. He also stated that the Board of Health had already approved the stump dump. Mr. Brathwaite asked why he was proposing to put the stump dump on the common land. Mr. Smith answered that staff had recommended to put the stump dump on the common land because stump dumps can cause subsidence which can be disastrous if a structure is placed over them. The Board approved the location of the stump dump as shown on the redline plan, contingent upon the approval of the Health Department.

Mr. Gallagher next asked the Board if they would accept the deeds to the common land even though work on the common land was not completed. He explained that the Cluster Special Permit Decision for Stoneymead required that the common land be conveyed to the town before any building permits were issued. Further, the common land can not be conveyed until all the work to be done on the common land is complete. Mr. Block stated that the town did not want the common land yet because they did not want the liability. The Planning Board voted unanimously to have the Planning Department staff write a memo to the Building Commissioner stating that the common land shall not be turned over to the Town until all construction on the common land is complete or upon demand. The time of the conveyance of the common land shall not preclude the issuance of building permits.

**IV. DECISION ON THE PRELIMINARY PLAN FOR MEADOW VIEW:** The Board reviewed and discussed a draft preliminary decision approving the Meadow View Subdivision. Mr. Smith pointed out that, like the original definitive plan the Board had denied, this preliminary plan did not comply with the Subdivision Rules and Regulations. However, the draft decision contains a limitation that makes the approval contingent on a settlement being reached with MetWest. A settlement would address the issues that resulted in the denial of the original definitive plan. The Board decided to wait until they could review a letter from town council outlining a settlement before making a decision on the preliminary plan.

**V. JULY PLANNING BOARD MEETINGS:** The Planning Board voted not to hold any meetings in the month of July.

Approved by the Planning Board

  
Mary Giorgio  
Mary Giorgio, Clerk