



PLANNING BOARD

• Town of Acton

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PLANNING BOARD MINUTES

Monday, May 8, 1989

Acton Town Hall

RECEIVED & FILED

DATE June 19, 1989
Conrad D. Huber
TOWN CLERK, ACTON

Planning Board members present: Quint Brathwaite, Chairman; Greg Niemyski; Doug Carnahan, and James Lee.

Staff present: Roland Bartl, Town Planner; Timothy Smith, Assistant Town Planner.

I. HIGHRIDGE PUBLIC HEARING: Mr. Smith explained to the Board that the developer of High Ridge was not prepared for the public hearing and would like to continue the public hearing to another date. Mr. Niemyski asked why the developer wanted to continue the public hearing. The public hearing has been continued several times already. what is the problem? Charles Kadison, the developer's attorney, answered that a number of issues related to ownership have to be resolved. He said that the developer is negotiating to get use of the drainage facilities on Nagog Park Road and to use the road itself. He said that the negotiations have been going very slow. Mr. Niemyski said that he felt that an applicant should have his "ducks in order" before submitting a plan to the Planning Board.

Mr. Lee asked Mr. Kadison if the development had access onto a road. Mr. Kadison replied that it did. He explained that due to an engineering error, the boundary lines are in dispute and he is now in the process of doing a title search.

Mr. Kadison further argued that no one would be hurt by an extension - there would be damages to the proponent if an extension was not granted. Mr. Kadison assured the Board that the developer would not ask for another extension if this one were granted.

Mr. Niemyski motioned to continue the hearing one last time to June 26, 1989, 7:30, at the Acton Town Hall.

II. SUBDIVISION RULES AND REGULATIONS PUBLIC HEARING: Roland Bartl gave a brief description of the proposal to change the application fee structure in the Subdivision Rules and Regulations. He stated that the proposed fees would make Acton's fees one of the highest in the area. Mr. Bartl explained that the formula for the proposed fees was structured so that the fees directly relate to the cost of reviewing development proposals. The new fee structure would cover the Town's cost to review a plan from the time that a definitive plan is filed to the acceptance of the road at town meeting. This process usually takes several years from start to finish.

He explained that the current method required extensive bookkeeping and accounting, making it an administrative headache. He also stated that so far any services provided by the town after approval were free, except for inspection cost. All services would be covered now by the intial fee. Mr. Niemyski asked if the Town would lose revenue through the new fee structure. Mr. Bartl said it would not. He explained that it was difficult to keep track of the time spent to review plans, so that the current fee system did not capture the full cost incurred by the town to review development proposals.

Mr. Carnahan asked if the fees could be waived for an affordable housing project. Mr. Bartl replied that they could because it would be in the public interest.

Mr. Niemyski asked if Mr. Bartl performed a cost analysis. Mr. Bartl said that he looked at several different subdivisions and derived at a formula that would capture the cost for reviewing those subdivisions.

Mr. Brathwaite motioned to adopt the new fees as proposed. The Board voted unanimously in favor of the new fee structures.

III. RELEASE OF BOND: The Board voted unanimously to release of the bond for Albertine Circle.

IV. GWPD SPECIAL PERMIT PUBLIC HEARING: Mr. Bartl summarized each page of the proposed Groundwater Protection District Special Permit Rules and Regulations. Mr. Carnahan asked if the high fees for commercial projects could be justified. Mr. Bartl answered yes, the fees are directly related to the cost of the review. Consultants may have to be hired to review a plan which could be very expensive for the town. Mr. Carnahan then asked if the fees could be waived or reduced for environmentally sound industries. Mr. Bartl answered yes. William Lawrence asked what mechanism could be used if an applicant wanted to request a reduced fee. Mr. Bartl replied that there is a pre-application consultation meeting in the special permit process. At that time the Board could consider special mitigating factors that would warrant a reduced fee.

V. PRESENTATION: Mr. Lewis Bowker presented a concept plan to the Board showing 2 houses on 16.94 acres of land off of Old Meadow Lane. The Board generally approved of the concept presented. The Board made suggestions such as making the cul-de-sac a throughway.

VI. METWEST SETTLEMENT: Mr. Bartl gave the Board an update on the work being done to reach a settlement with MetWest on the Meadow View Subdivision.

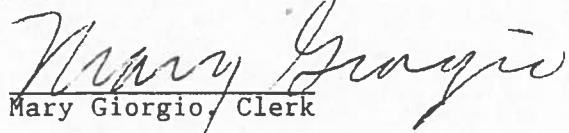
VII. STONEY MEAD REDLINE CHANGE & BOND REDUCTION: Mr. Smith described the redline change that Mark Gallagher had requested for the Stoney Mead Subdivision off of Pope Road. The redline change involved raising the grade of the subdivision road in several places. Charles Kadison, a representative of the owner of some of the Stoney Mead lots, said that he had just learned of the redline change and asked the Board if they could grant him some time to get his engineer to evaluate the change before making their decision. Mr. Smith pointed out to the Board that the

Subdivision Rules and Regulations allowed the Board up to 15 days to make a decision. The Board decided to take up the issue at the next Planning Board meeting.

Next Mr. Smith informed the Board that Mr. Gallagher had requested a reduction in the bond amount for Stoney Mead. David Abbt, the town engineer had estimated a new bond amount. Mr. Smith stated that the request was somewhat unique because the developer had not completed a definable phase of the work but had completed a small percentage of the work to be done. Mr. Niemyski stated that he was against the reduction of the bond because it would set a undesirable precedent. Mr. Niemyski moved to delay any action until more board members were present. No one seconded the motion. Mr. Carnahan motioned to accept the bond estimation. Three Board members voted yea, one member voted nay. The motion was not carried.

Meeting Closed.

Approved by the Planning Board


Mary Giorgio, Clerk