



PLANNING BOARD • Town of Acton

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ACTON PLANNING BOARD

Minutes of Meeting

March 19, 1990



Planning Board members in attendance: Chairman Mary Giorgio, Vice Chairman Greg Niemyski, David Hill, Quint Brathwaite and Doug Carnahan

Planning Staff in attendance: Assistant Town Planner Timothy Smith, Planning Board Secretary Donna Jacobs

Chairman Mary Giorgio called the meeting to order at 7:36 PM.

I. The Arbors - Red Line change

The Board opened discussion on the proposed red line changes for "The Arbors" PCRC plan. Greg Niemyski moved to accept the red-line changes as proposed by the developer, motion was seconded by David Hill. David Hill began his discussion of the motion by stating that he paid a visit to the site and is concerned that the proposed red-line changes will result in the garages being the first structures visible as you approach the development. Greg Niemyski referred to the Zoning Bylaw wording regarding the allowance of red-line changes to an approved PCRC. Mary Giorgio stated that she did not believe the red-line changes for the garages and minor changes to the units represented a substantive change. Quint Brathwaite stated that the Board should allow the change because it is not substantive and the developer believes the changes will make the units more saleable. Chairman Giorgio called for the vote, the motion to accept the re-line changes as proposed by the developer carried with four members in favor and David Hill opposed.

Other Business:

The Mass. Federation of Planning and Appeals Boards will hold a meeting on 4/26/90 at the Sheraton Rolling Green in Andover featuring Donald Schmidt of E.O.C.D as speaker with the topic of A.N.R.'s & their relationship to Ch.41. It was agreed that Quint Brathwaite & Tim Smith will attend the meeting and report back to the Board.

II. David Hill's Report on Subdivision Rules & Regulations

David reviewed for the Board, in the form of handouts and overhead slides, Sections 1 through 4 of the Subdivision Rules & Regulations during the one hour time period allotted for his presentation. David advised the Board that he would cover the balance of the Rules and Regulations during a workshop meeting after Town Meeting. The Board discussed the use of "may" vs. "shall" within the text of the Rules. Additional discussion took place concerning the definitions for various roads and ways. David Hill reported that several defined roads are either mentioned only in the definition section and/or one other time within the text of the Rules and suggested that the Board should study this issue in the near future. Tim Smith advised that the Master Plan traffic consultant, Vanasse Hangen Brustlin Inc., will be providing recommendations on changes for the road hierarchy as part of their study.

III. Duston Lane Common Drive

Greg Niemyski moved that the Board issue the Decision approving the Duston Lane Common Drive Special Permit as drafted. David Hill seconded his motion. Quint Brathwaite suggested that the motion should be amended to include David Hill as a participant in the hearing and that the word "road" should be changed to "driveway" wherever stated. The amendments suggested by Quint Brathwaite were accepted by unanimous vote. The main motion carried by unanimous vote.

IV. Deck House

Greg Niemyski moved that the Board issue the following statement on the Preliminary Plan submitted for consideration by Deck House:

"The Board has reviewed the Preliminary Plan submitted and has taken no action because the plan does not represent a subdivision."

David Hill seconded the motion which was approved by unanimous vote.

V. Town Meeting Warrant Article #9 - TDR

Mary informed the Board that she has discussed Town Counsel's recommendation that the TDR be permitted through the Special Permit process rather than by right as proposed in the text of Article #9 with Town Planner Roland Bartl. Roland advised Mary that Counsel's recommendation came in too close to warrant printing deadlines to include in the warrant article. Because of this, Roland is seeking both the Planning Board and Planning Council's opinions on a floor amendment to accommodate Counsel's recommendations.

Mary Giorgio recommend that the Article not be amended to require a Special Permit and stated that if practical experience with the Bylaw provision indicated the need for a special permit process, it could be amended later.

Doug Carnahan stated that he believes by incorporating the special permit process into the Bylaw provision we would be discouraging people who might otherwise use TDRs because of the extra process and (perhaps) expense involved.

Greg Niemyski moved to stay any amendment to Article #9 at this time. David Hill seconded the motion which carried unanimously.

Meeting adjourned at 9:45 PM

Respectfully submitted,

David Hill
David Hill Clerk