



**Planning Board  
Joint Meeting with Select Board**

March 18th, 2025

7:30 PM

In Person &  
Virtual (Zoom)

**Planning Board members present:** Jon Cappetta (Chair), Michaela Moran, James Fuccione, Patricia Clifford, Sam Bajwa

**Also present:** Kristen Guichard, Planning Director; Nathaniel Ryan, Assistant Planner

**Planning Board members absent:** Ron Beck (Associate Member)

The meeting was called to order at 7:35pm

James Fuccione took roll call: Jon Cappetta- Aye, Michaela Moran-Aye, James Fuccione-Aye, Patricia Clifford-Aye, and Sam Bajwa - Aye

**I. Regular Business**

1. **Residents' Comments: None**
2. **Approve previous meeting minutes:**
  - a. Pat moved for approval of the 2/4/25 Meeting Minutes, Sam seconded, roll call vote was taken: Jon Cappetta-Aye, James Fuccione-Aye, Patricia Clifford-Aye, Sam Bajwa – Aye, and Michaela-Abstained.
3. **Board Members' Reports: None**
4. **Administrative Updates & Reports: None**

**II. New/Special Business**

1. **7:30pm – Zoning Public Hearing**  
**Amend Zoning Bylaw – Open Space Residential Development**

Jon Cappetta opened the hearing. There are 2 proposed zoning articles being brought forth. The 1st is open space residential development. This is the final product of the habitat for all planning initiative. The second article is the proposed changes to the accessory apartment or accessory dwelling unit bylaw.

Kristen Guichard, Planning Director for the town of Acton, presented on the Amendment for the Zoning Bylaw: Open Space Residential Development.

Patricia Clifford asked if the Regional Housing Services Office had any concerns when they completed their peer review. Kristen stated that the only concern identified was related to developments on one acre. The results show that the density bonus should be 7 units per acre where we're proposing 6. Past data shows Acton has not had any subdivisions smaller than 55,000 square feet in land area. This is because it's not possible to fit more than 2 units with all the dimensional regulations, a road, septic systems, and compliance with Chapter X stormwater regulations.

Sam commented the board is appreciative of the process Kristen has followed and the community interaction and feedback received.

#### Audience Questions:

1. Jim Carey asked if mixed housing types are still incorporated in the PCRC. Kristen responded that the current PCRC Bylaw allows for up to 4 units to be connected on one lot. Jim Carey commented that they are all for having a larger number of smaller, mixed type, and higher density houses. They want to get to an Acton where they wouldn't have to get in the car for everything they want to do, even visiting neighbors.
2. A resident asked if density bonuses only apply to inclusionary zoning because Section 5.6 doesn't have any affordability requirements. Kristen responded that Incentives for smaller housing units utilize current standards to derive total unit yield per parcel. The current PCRC Bylaw cuts the unit yield by 20%. The standard subdivision table in the current zoning bylaw is used to derive dimensional requirements per unit.
3. David Honn asked for an explanation of Note 15. Kristen replied the current PCRC Bylaw allows for those four units to be together. David also asked for clarifications on some scenario situations, which Kristen explained. He suggested reducing the smaller homes incentives to lower than 3,000 square feet.
4. Bob Van Meter commented that he lives at one of the PCRC Developments developed under the old PCRC Bylaw and he served on the Habitat For All Advisory Committee. He shared that a lot of work went into the bylaw from the planning staff and the community (those with environmental, agricultural, and housing perspectives). He said the proposal achieves goals for housing and the environment that are admirable, and thinks it moves the town in the right direction on both of those metrics. He hopes the planning board will advance this proposal to town meeting.
5. Terra Friedrichs expressed concern that current language could allow not just small cottages. She also requested that both best-case and worst-case scenarios be outlined to determine environmental impacts. She also appreciated the changes made to the special permit section of the bylaw. She also asked if 40% of the land could be clear cut, or

would the existing buffers have to be preserved. The Planning Director responded that section 5.7 (special permit) allows the Planning Board more discretion to have requirements such as vegetative buffers in the zoning bylaw. Section 5.5 covers changes to dimensional regulations under zoning that would regulate standard subdivisions. In this case the vegetative buffer guidelines would be in the subdivision rules and regulations. The proposal, should it be favorably voted on at the Town Meeting, would require vegetative buffer along the existing street.

6. Suzanne Fuller asked how four houses clustered close to the street can have septic systems and storm water retention places. The Planning director responded Acton's been doing it since 1991 with the PCRC bylaw.
7. Holly Ben-Joseph was also on the Habitat For All Advisory Committee, and expressed that she fully supports this new zoning. She said it combines a way to save a lot of resource land without any cost to Acton. She recognized that the committee and staff have taken a lot of time to examine how to make more inclusive zoning feasible. She is supportive of moving this bylaw forward.
8. Stella Ko stated that she appreciated the presentation and all of the questions posed. She said it aided in her decision to ask the Planning Board to bring this forward to town meeting.

Michaela Moran commented that though Habitat for All does not address housing for those that most need it, she thinks there may still be flaws in the financial analysis brought by the consultants. She is not sure if the plan will accomplish what the Board is hoping that it will. She does support the switch from the standard subdivision plan to a PCRC plan as the primary way that development can happen in Acton.

Sam Bajwa commented that this is one way to address affordable housing but is not meant to address it fully. He feels the bylaw should move forward, and we should continue to think of creative ways to solve affordable housing in a bigger way. Kristen added that this proposal is not meant to address all housing needs and it's very hard to deed restrict units at a lower Area Median Income. She also noted that the consultant and the fair housing attorney recommended that the feasibility analysis for the inclusionary zoning be analyzed on a regular basis.

Michaela motioned to keep the public hearing open, and Sam seconded. Pat, Sam, Michaela, James— were in favor. Jon was not in favor.

Michaela motioned, and Sam seconded to continue the public hearing until next Wednesday March 26<sup>th</sup> at 6:30pm. Pat, Sam, Michaela, James, and Jon – were in favor.

### **Amend Zoning Bylaw – Accessory Dwelling Units**

Nate Ryan presented the proposed zoning changes for ADUs.

Bob Van Meter of Half Moon Hill commented that allowing ADUs by-right will increase housing options and encourages the Planning Board to advance this proposal.

David Martin asked what would happen if Acton did not pass this bylaw change and why it requires a 2/3rds vote. Kristen Guichard responded that the main purpose of this is to ensure clarity of interpretation of State regulations and that the vote requires 2/3rds because Acton is allowing for larger ADUs than the state definition.

Sam Bajwa questioned what the Architectural Access Board is. Kristen Guichard responded that it's a State Board that deals with building code. She explained that previously in the Acton Zoning bylaw, there was a requirement for ground floor accessory apartments to have some level of adaptability for ADA standards. We cannot require that anymore under the State law.

Michaela Moran asked about a detached building on a lot that existed before April 2<sup>nd</sup> 2019 – can it be up to 2000 square feet. Kristen Guichard clarified that this is in the current bylaw and there would be no change to the language in the new bylaw.

James Fuccione asked about financing and loan programs to help people add an ADU. Kristen Guichard responded that this hasn't been outlined yet.

Michaela Moran asked if this piece of the by law will help lower income residents. Kristen Guichard responded that creating more rental properties allows for more people in the town to utilize housing vouchers.

Michaela Moran moved to close the hearing, James Fuccione seconded. All in favor (5-0)

Patricia Clifford moved to bring this to town meeting, Michaela seconded. All in favor (5-0)

James moved to recommend this at Town Meeting, and Pat seconded. All in favor (5-0)

## **2. 7:35pm – PSUB-25-1, 96 Pope Road Preliminary Subdivision**

Nathanial Cataldo presented the preliminary plan. Currently there is a single-family house on this ~13-acre lot off of Pope Road. The layout would be very similar with the right of way, being in a very in a similar spot, and then terminating at 1 point where a common driveway would project from the right of way to provide access to lots 3 and 4.

Michaela Moran noted a vernal pool on the plan and asked the length of the driveway. Nathanial confirmed it is a potential vernal pool. He also clarified that the driveway from Pope Road to property line would be 967 feet and an additional 478 feet to the house. Michaela asked if this meets fire standards. Nathanial explained he has designed adequate turn arounds throughout.

Kristen Guichard noted the comment from the fire department regarding the location of a fire hydrant. She also noted that access to lot 3 is very limited because of the wetland crossing between the proposed house and the road and asked if the board has any considerations around that.

Kristen did request the discussion continue at the next meeting in order to further evaluate the access to lot 3.

James Fuccione moved to continue this to April 15th, and Michaela Moran seconded. All in favor (5-0).

### **3. PB93-9, 123 Quarry Road PCRC Minor Amendment Request**

Nathanial Cataldo, Stamski & McNary, presented the updates to the plan for the amendment. The only change is a small adjustment in the lot line which impacts the lot lines between lots 2 and 3 in order to keep an existing cart path on the property of Lot 2 at a request from the owner.

Michaela Moran moved to approve the request as a minor amendment, and Sam Bajwa seconded. All in favor (5-0)

### **4. PB19-02, 484 Great Road Betty Estates PCRC, Minor Amendment Request**

Continued to March 26th, 2025

Jon Cappetta (Chair) motioned to adjourn, James Fuccione seconded. All in favor (5-0)

#### **Materials used at this meeting:**

March 18th, 2025 Agenda

2/4/25 Planning Board Minutes

ADU Bylaw Amendment 3-14-25 Town Counsel Reviewed

96 Pope Rd Original Application 2-11-25

Revised Plan Set – 96 Pope Rd

Revised Plan Set Memo – 96 Pope Rd

123 Quarry Rd Amendment Letter to Planning Board 2/19/25

123 Quarry Rd Owner Consent Signed

123 Quarry Rd OpenGov Application

123 Quarry Rd Site Plan 3/13/25

Betty Estates Deed Description

Proposed Conservation restriction

PB19-02 484-486 Great Rd Amendment 4

Materials can be found here: <https://doc.actonma.gov/dsweb/View/Collection-18887>