



## **Planning Board Minutes**

July 27th, 2021  
7:30 PM  
Virtual (Zoom)

Planning Board members present: Ray Yacouby (Chair), Sam Bajwa (Vice Chair) Derrick Chin  
Jon Cappetta (Clerk), Nathan Cookson, Michaela Moran  
Also present: Kristen Guichard, Planning Director, Alicia Burak Administrative Assistant

Ray Yacouby read the guidelines for virtual meeting.

Ray Yacouby called the meeting to order at 7:36PM

Jon Cappetta called the roll at 8:02PM: Ray Yacouby- Aye, Derrick Chin - Aye, Sam Bajwa –  
Aye, Jon Cappetta – Aye, Michaela Moran- Aye unanimous (6-0).

### **I. Regular Business**

1. Citizen Comments: None
2. Approve previous minutes: None
3. Board Member's Reports: Decision to be made at next meeting regarding virtual or in person meetings.
4. Administrative Updates and Reports: Kristen Guichard gave an "Introduction to the Planning Board" presentation. (Link provided in materials) Nathan Cookson joined the meeting midway through the presentation.

### **II. New/Special Business**

#### **1. Public Hearing – PB21-2 47 Conant Street Subdivision- Limited Reopening**

Ray Yacouby reopened the limited Public Hearing at 8:06PM and allowed each person to speak once. Limited to new information only.

Public Comments: Ginny Sinkel Kremer- Legal Councilor to abutters; Spoke about the legal background of waivers. She stated the proposed subdivision does not protect the safety, convenience, or welfare of the residents of Acton and the approval of waivers are a danger to wetlands and would make Conant St more dangerous due to the traffic. She stated the draft decision of Amanda lane fails to meet the requirements of subdivision rules and regulations of 8.1.7. She stated that the applicant failed to present a proof plan that satisfies requirements of sections 10.1.2, 8.2, 8.3, 8.7, 9.2. She requested the Planning Board accept the 7/23/21 memorandum of abutter Kelly D'Ambrosio.

The Board agreed to accept the memorandum, and simultaneously it was uploaded to DocuShare by Kristen Guichard.

Kelly D'Ambrosio, resident stated her concerns that the driveway of 16 feet is too narrow given the congestion on Conant St.

Alex Parra, Attorney to the applicant, addressed the points raised by the previous speakers. He noted that the decision of the Planning Board isn't whether to approve the subdivision, but to approve it as a residential compound or a conventional subdivision. He stated the safety, size of houses, and density doesn't change despite what type of subdivision. He noted that the proof plan and residential compound comply; he noted the engineering peer review doesn't raise any issues on drainage, easements, utilities or density.

Terra Friedrichs stated that the project meets technical requirements but does not meet intent of the law.

Alissa Nicol, Resident on School Street, raised concerns of setbacks, wetlands, and size of the proposed residential compound.

Nathan Cookson motioned to close the public hearing at 8:36PM. Jon Cappetta seconded. Roll Call Vote: Nathan Cookson, Aye, Sam Bajwa-Aye, Jon Cappetta-Aye, Derrick Chin-Aye, Ray Yacouby-Aye.

Board Comments: Sam Bajwa asked Kristen about street classifications, and if Conant St is listed as a Collector's Street and questioned the lot shape. He stated that the footprint of the proposed houses are no larger than other houses in the neighborhood. He asked about the line of site, and Kristen stated that GCG made a recommendation to require a line of site easement and that was part of the proposed conditions.

Jon Cappetta- raised concerns about pedestrian's safety due to the road being narrow and traffic congestion.

Derrick Chin noted that he went to the location and noticed multiple homes in the area were large.

Ray Yacouby noted that safety on roads is a universal issue for all new developments and a residential compound allows more discretion than a standard subdivision and is concerned if denied, applicant will put in a standard subdivision which would be less desirable.

Michaela Moran described the cluster of houses proposed, not being compatible with the neighborhood and noted her concerns about property owners being in charge of the drainage system and possibly destroying the wetlands.

Ray Yacouby noted one of the benefits of residential compounds is that the Town does not accept it as a public way so the cost of the drainage and roadway maintenance is not a responsibility of the Town.

Derrick Chin made a motion to approve the project at 8:58PM. Sam Bajwa Seconded.  
Roll Call Vote: Sam Bajwa- Aye, Jon Cappetta- No, Derrick Chin- Aye, Ray Yacouby -Aye.

Jon Cappetta motioned to adjourn at 9:00PM. Derrick Chin seconded.  
Roll Call Vote- Unanimous 6-0.

**47 Conant St Documents Used:**

**Definitive Subdivision-AmandaLane- Draft Decision**

**7.27.21 Planning Board Agenda**

**D'Ambrosio Memo 7-12-21**

**2021 6/16 LT ConCom Re 47 Conant Street**

**D'Ambrosio memo for 7-13 hearing**

<http://doc.acton-ma.gov/dsweb/Get/Document-77871/Planning%20%20Board%20Intro%20PPT%20-%20to%20POSt.pdf>

