

Town Clerk



MASSACHUSETTS
PLANNING BOARD

MEETING MINUTES
NOVEMBER 17, 1980
8:00 PM: DPW FACILITY

PRESENT Mrs. Bayne (Chairwoman); members, Mr. Phillips, Mr. Becklean, Ms. McCarthy; Planning Administrator, Mr. Dufresne; Mr. and Mrs. Gauthier, Mr. Cardoza.

ABSENT Mr. Weare.

Due to the Town Meeting to be held on November 24, 1980 at 8:00 PM, the Planning Board agreed to hold their meeting at the High School on at 7:15 PM.

GAUTHIER PROPERTY

Mr. Robert J. and Mrs. Aura M. Gauthier and their legal representative, Mr. Cardoza, were present to request that the Board review the Board of Appeals decision on a petition for a variance from the requirements of Section VI.A. of the Zoning By-law to allow construction of a single family dwelling on 4.1 acres of land fronting on a proposed street behind 106-116 Stow Street in an R-2 District. The Board of Appeals had denied the variance on October 22, 1979 on grounds that the Gauthiers were not being denied the effective use of their land for residential purposes assuming they wish to follow the established procedure for subdivision approval. The Planning Board in reviewing this plan found several problems. A waiver would be required for construction of the proposed street width as the plan proposes a 40 foot street layout width. There is also question as to who owns the section of the proposed street abutting Stow Street as this strip of land is listed as being a right-of-way to the public in the Gauthier's and the abutters' deeds.

The Planning Board suggested that the Gauthiers submit to them a copy of the plan. The Board said that approval under the subdivision control law may be possible along with the granting of waivers from street construction requirements. The Board will get in contact with the Gauthiers after speaking to Town Counsel and the Building Commissioner.

MINUTES

The minutes of November 3, and November 10 were approved as amended. Moved by Ms. McCarthy, second by Mrs. Bayne, all in favor.

SUBDIVISIONS

HEATHER HILL ESTATES Mrs. Bayne made the following motion to approve the Heather Hill estates definitive subdivision:

Motion to approve the definitive subdivision plan of land entitled "Heather Hill Estates", owner/subdivider: Heather on the Hill Realty Trust; designer/engineer: Colburn Engineering, Inc., Hudson, Massachusetts; dated August 29, 1980, revised November 12, 1980, subject to the following conditions:

- 1) that the "Standards and Specifications for Soil Erosion and Sedimentation Control" shall be revised to show the following:
 - a) the title of this document will be changed to read "Soil Erosion and Sedimentation Control Plan - Supplementary to the Definitive Plan of Heather Hill Estates";
 - b) the date shown on the "Soil Erosion and Sedimentation Control Plan - ..." will correspond to the latest revision date to be shown on the definitive plan;
 - c) the signature and stamp of the Registered Professional Engineer responsible for drafting the Soil Erosion and Sedimentation Control Plan shall be shown on said plan.
- 2) reference shall be made on the plan incorporating the "Soil Erosion and Sedimentation Control Plan - Supplementary to the Definitive Plan of Heather Hill Estates" as part of the definitive subdivision plan by adding to the definitive plan, "Note: The Soil Erosion and Sedimentation Control Plan - Supplementary to the Definitive Plan of Heather Hill Estates dated _____, by _____, Registered Professional Engineer, is hereby incorporated as an integral part of this definitive plan;"
- 3) a covenant and, if appropriate, a subordination agreement satisfactory to the Board shall be submitted prior to endorsement of the plan;
- 4) the plan must comply in all respects to the Subdivision Rules and Regulations, Town of Acton, Massachusetts, as last amended April 5, 1979, except for the following waivers:
 - a) Section I.V. A.8 - to allow construction of a cul-de-sac street in excess of 500 feet allowed length;
 - b) Section IV. A.4 - to waive the requirement to superelevate the roadway on the horizontal curve, and to waive the required k factor of 28 for the vertical curve from station 0 + 0 to 1 + 0. 0.

The Board voted to approve the motion, second by Mr. Phillips, all members in favor.

SILVER HILL ROAD Mr. Dufresne, after speaking with Town Counsel concerning the erosion problems on Silver Hill Road, agreed to write a letter to the developers of Ridgewood Estates to direct their attention to this problem. Failure of the developer to respond by December 29, 1980 could result in the Board assuming the bond and taking the necessary steps to alleviate this problem.

VOUCHERS

The following voucher was approved for payment by the Board:

MAPD \$38.00

Moved by Mr. Phillips, second by Mrs. Bayne, all members in favor.

REQUIRED BUDGET CUTS

Mr. Dufresne presented to the Board his suggestions for cutting the Board's budget as required by the Town Manager. The Board agreed with Mr. Dufresne and voted that the reduction should be in the support services account which will be reduced by \$1850.

MISCELLANEOUS

Board members received forms from the Charter Commission requesting a description of the responsibilities and time spent as Planning Board members. They should be completed by the meeting of December 1, 1980.

WESTFORD MEETING

Mr. Dufresne will meet with the Westford Planning Board on Tuesday, November 18, 1980 to get acquainted with the Board's policies and practices as they may relate to Acton's aquifer recharge area.

TOWN MEETING

The Board voted to make recommendations on the following items on the Town Meeting Warrant:

Article 4 - To see if the Town will vote to amend the Acton Zoning By-law to prohibit the use of any land or structure for the landing and taking off of any motorized aircraft within Acton.

The Board voted to recommend adoption of Article 4, moved by Mr. Becklean, second by Mr. Phillips, all in favor.

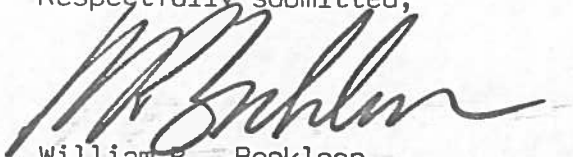
Article 5 - To see if the Town will vote to hire a consultant to perform a traffic safety impact study in the Town of Acton.

The Board voted to recommend adoption of Article 5. Moved by Mr. Becklean, second by Mr. Phillips, all in favor.

Article 10 - To see if the Town will vote to Purchase 2+- acres of land at the northeast corner of Rte. 27 and 2A. The Board voted to recommend adoption of Article 10. Moved by Mr. Phillips, second by Mrs. Bayne, all in favor.

MEETING ADJOURNED 11:00 PM

Respectfully submitted,



William R. Becklean
Clerk

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13.392 AC.