



PLANNING BOARD • Town of Acton

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PLANNING BOARD MINUTES

Monday, December 5, 1988 - Town Hall, Acton, Mass

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A. Belcher
TOWN CLERK, ACTON

Members Present: Chairman, John Barry; Members: Quinton Brathwaite, Robert Block, Greg Niemyski, and Mary Giorgio. Staff present: Timothy Smith, Assistant Planner and Mary Robertson, Recorder.

7:30 p.m. - Mr. Barry called the public hearing to order on the Acton Scenic Road Bylaw and Tree Removal.

Dean Charter, Tree Warden, referenced M.G.L., Chap 87, on the removal of trees. At this time, he stated that no formal objections had been received by the Tree Warden. Mr. Charter then reviewed the plan to remove trees at the entrance of Faulkner Hill Road and one at the emergency access road of the Veenstra property, totalling 12 trees. Safety factors (line of sight) were noted as the reason for the removal.

Mrs. Jenne, 55 High Street, raised objections to the project altogether. Messrs. Barry and Brathwaite explained that this PCRC was zoned three or four years ago and that the Board is now looking at construction details. Also, at a previous hearing, neighborhood concerns for safety were addressed and considered.

Ms. Kathy Kelly, 156 High Street, expressed her concern over removing the trees prior to the permitting of construction and objected to destroying any vegetation.

Mr. Roy Smith, developer of Audubon Hill, gave assurances that the trees would not be removed until construction began.

Dr. Logan objected to the tree removal and questioned why a tree removal permit is being considered prior to a PCRC permit.

Mr. Barry replied that procedurally, the permits can run concurrently.

Mr. Block informed the public that the purpose of this hearing is to gather data/information and a decision would not be determined this evening. Mr. Charter concurred but also clarified that the Tree Warden may grant a permit. Since objection has been raised, the Board of Selectmen would take this under advisement. Mr. Block added that the Planning Board would rule on a PCRC permit.

Mrs. Jenne brought to the Board's attention the petition from neighbors on High Street. Mr. Barry read the list of requirements as stated on the petition requesting that permits and approval be issued for Audubon Hill before any trees or stone walls are removed.

Mr. Niemyski attempted to clarify the PCRC issue and removal of trees for Dr. Logan. The issue being, whether the permit would be granted if the PCRC were denied.

Mr. Paul Coughlin was very concerned with and questioned the positioning of the access road relative to uphill grading. Very serious considerations should be given to safety factors. In particular, if the location was fixed as an access road. Mr. Barry indicated the matter would be addressed during the PCRC hearing and since the plan has not been approved, the location is not fixed.

Mr. Harry Donahue, Acton Survey & Engineering, gave an overview and pointed out the dimensions of the stonewall at the entrance of the access driveway. The wall would be physically removed and rebuilt to serve as an entry.

Mr. Larry Kirkman questioned why the plan shows removal of the 80-ft stone wall. Mr. Donahue replied that 90 ft of construction would be required for a 24-ft wide entrance.

Mr. Barry responded to Dr. Logan that the Planning Board is the permit granting authority under the Scenic Road Bylaw.

There being no further questions or discussion, the Scenic Road Bylaw and the Tree Removal hearings were closed by the Chairman at 8:00 p.m.

At 8:15 p.m., the Chairman called the PCRC Special Permit Hearing, Audubon Hill, to order and read the legal public notice.

The Petitioner, Mr. Roy Smith, then presented a review of the development and noted several factors:

- There will be 70 single unit houses built on 70+ acres of land;
- The homes will be one-story and some will have basements;
- The minimum age requirement is 55 years of age;
- The clusters are handicap accessible (Mr. Smith pointed out the clusters on the plan);
- The Veenstra House will be included along with a 4,000 ft addition which was given to the town;
- 20 units will be affordable - to the Housing Authority and the balance sold at market price with two bedrooms.

With several charts displayed, Mr. Donahue proceeded to show the location of the property which is situated on 71.25 acres. He also noted that preliminary meetings were held in the spring of 1984 and several meetings were held thereafter with the Planning Board and the South Acton Revitalization Committee (SARC). A pre-application meeting was held with the Planning Board in May, 1988 as well as meetings with the Engineering Department and Fire Department.

Mr. Alex Zachor, 59 High Street, expressed concern about the access road. The Chairman requested his comments be reserved until after the presentation was complete.

Mr. Donahue continued by describing the topography of the site. He also commented on meeting handicap requirements for parking and the construction of two ponds pending DEQE and Conservation Commission approval.

Mr. Gauchat presented the architectural plan noting such items as:

- 4 car garages;
- open court yards;
- full basements in most units with some walkouts;
- there are two standard unit types--A and B; most will be built on a first floor level with options for a porch;
- 4,000 sf has been designated to the elderly center;
- the recreation building will contain 11,000 sf and contain a meeting room;
- the units will have two bedrooms and two baths;
- the buildings will be constructed of wood clapboard, gabled roofs, and have a carriage house appearance.

Mr. Johnson offered the following information:

- landscape plans will be preserved;
- trees minimally disturbed;
- new plantings will be included as well as retaining the old plantings within the clusters, courtyards and islands.

At 8:45 p.m., the Chairman requested comments from the public.

Mrs. Hodge, 27 High Street, requested clarification of the emergency exit road. Mr. Donahue pointed out the road and stated that the exit road would be blocked off with a chain, leaving it to be opened upon emergency situations.

Mr. Wesley Morey, 149 Central Street, expressed serious concerns with the present and projected traffic hazards and impacts in South Acton. He also questioned the Planning Board's stand on a deck for commuter parking. He felt the Planning Board and the Board of Selectmen were not adequately addressing these issues and were lagging in implementation of the master plan.

Mrs. Jenne then raised the subject of the property being in litigation and whether it was within legal statutes to hold the hearing.

Mr. Barry first responded to Mr. Morey's concerns by stating that a traffic study under the master plan will soon be implemented. Mr. Block also assured Mr. Morey that the Planning Board tries to serve the town, citing the Great Hill proposal, although the progress may be slow and inadequate. Mr. Brathwaite also commented that the Board doesn't really have much purview over traffic.

Returning to Mrs. Jenne's concern, Mr. Barry stated that he did not know the details of the law suit. However, Mr. Timothy Smith, Assistant Planner, announced that he was advised by Town Counsel to proceed with the hearing.

In response to Mrs. Jenne's question of how much traffic would be generated by Audubon Hill, Mr. Roy Smith commented, "very little."

Mr. Steinhauer, 17 Seneca Road, Council on Aging, also commented that there would only be two small vans used by their council and assured the audience that "no wild parties would be held."

Mr. Zachor, 59 High Street, wondered if the Board had considered an access through Valley Circle.

Mr. Donahue explained that the location is private property and there is no access from the southerly side.

Mr. Donahue also replied to Mrs. Jenne's question as to how runoff would be eliminated across from Faulkner Hill Road. He stated that additional data would be provided from the Engineering Department concerning this issue.

As to a query on placement of interceptors, Mr. Donahue commented that they haven't been designed yet to intercept water as it comes downhill.

Further, snow removal into the site will be discussed with the Department of Public Works.

Referring to a question on age discrimination, Mr. Donahue offered the state ruling providing a development of 20 acres of more may restrict age requirements.

Dr. Logan, High Street, expressed several concerns but he commented that the 70 acres are the largest privately owned undeveloped land left in this part of town. He suggested the Planning Board deed the land to the town and he seeks to reinstate the town meeting vote. Other concerns expressed by Dr. Logan were:

- 1) runoff and drainage;
- 2) to change the access road, and
- 3) septic systems - will the Planning Board approve the plan based on Board of Health and SEA considering SEA finds the soils impermeable and Fort Pond Brook nearby?

First, Mr. Timothy Smith replied that the Engineering Department stated that the runoff and drainage concerns were not insurmountable.

Second, Mr. Donahue responded that the Engineering Department is concerned that because of the sight distance at the existing driveway it is not a viable access and other considerations should be looked at.

Third, Mr. Barry stated that the septic concerns were Board of Health issues and the hearing tonight is to gather data.

Mr. Donahue commented that the sewage treatment plant will not be required.

Dr. Logan then continued with regulatory questions:

-Since the PCRC section of the Zoning Bylaw calls for the plan to indicate phases of construction, has this been done?

.Mr. Timothy Smith replied that the phases are on the plan.

-Was sufficient information provided in detail?

.Mr. Barry noted that details would be looked at carefully.

Ms. Kelly addressed conservation issues and queried if wildlife and wetlands studies and surveys had been done.

Mr. Donahue explained that there are 50 acres of open space abutting conservation land; the bulk of the open space will remain in its natural state.

Another resident concern was pedestrian walkways which Mr. Donahue implied could be negotiated.

Mr. Stan Collins, Council on Aging, hoped the Planning Board would approve the plan as well as the Senior Citizen Center. He added that this plan is a great idea for the town and a necessity for older citizens.

The Board also clarified some of the legal ramifications and the processes required. Again, responding to traffic concerns, Mr. Barry stated that the Planning Board is limited by statute. At present, there is legislation on impact fees under consideration.

Mr. Brathwaite then motioned a continuance of the hearing. Motion was seconded and unanimously approved. The hearing date is Monday, December 12, 1988 at 8:00 p.m. at the Town Hall.

Meeting adjourned at 10:00.

Respectfully submitted,

Mary Giorgio
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Clerk