



PLANNING BOARD • Town of Acton

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PLANNING BOARD MINUTES

The Planning Board met on Monday, August 1, 1988, 7:30 p.m., at the Raymond J. Grey Jr. High School Library, Acton, Mass.

Members present: John Barry, Chairman; Marshall Dennis, Mary Giorgio, Quint Brathwaite, Greg Niemyski, and David Peters. Absent: Robert Block. Staff Present: Roland Bartl, Town Planner and Mary Robertson, Recorder.

The meeting convened at 7:30 p.m. with the first agenda item: Ernie DeVincent presented three optional plans to the Board for three lots on School Street. The plans were reviewed by the Board members. It was recommended to Mr. DeVincent to submit the plan under cluster development with waivers for consideration.

Homeowners Agreement, 48 Hammond St. The Board recommended to add to paragraph no. 4, "another time period shall be made within 10 days and binding on the parties." Mr. Dennis moved to accept the Homeowners Agreement as amended. Unanimously approved.

Smith Place: The Board discussed whether or not there should be an amendment to the original hammerhead lot special permit application. It was determined by the Board to hold a public hearing and Mr. Bartl stated he would walk the property with Mr. Smith.

Mr. Barry called the Definitive Subdivision Meadow View Hearing Continuance to order at 8:00 p.m. He opened discussions to the Board members whereupon Mr. Dennis requested an update on the water supply situation. Attorney Kadison stated that they will supply public or private water and they are presently negotiating with the Acton Water District to resolve the drainage easement issues from Nash Road to Central Street.

Mr. Keith Gregory, 73 Robbins Street, presented the Board with a letter, signed by 102 residents, encouraging the Board to deny the definitive subdivision plan. He read and cited several inconsistencies, particularly the cul-de-sac and detention pond waivers, which do not comply with the Acton Subdivision Rules and Regulations, and the question of the flood plain being deeded to the Town. Additional concerns were the maintenance of the detention pond, notice of intent by the Conservation Commission, Fort Pond Brook flood plain, protection of wild life, unrestricted access, notification of blasting, approvals by other Boards, and traffic and safety issues.

Mr. Jim Stellar, Robbins Street, presented a fact sheet on sizes of development streets in Acton. In comparison, Robbins Street would be the second largest single access subdivision in town with the narrowest access road. He also requested the Board to deny the subdivision.

Mr. Neil Dionesotes, 16 Nash Road, requested denial of the subdivision by the Planning Board and brought to their attention the intent and purpose of the Acton Subdivision Rules & Regulations. He cited that no exceptions have been made to the 1978 ruling which requires a minimum of two points of access if the subdivision cul-de-sac is over 1700 ft in length--Meadow View provides only one.

Ms. Betsy Eldridge also pointed out to the Board that her property had been flooded many times and presented a letter to the Chairman.

Ms. Anita Forbes, representative of SARC, read a letter to the Board supporting denial of the subdivision. She urged the Board to obtain an environmental impact report and indicated that recommendations would be forthcoming from the SARC Committee.

Ms. Cynthia Durost, One Martin St., expressed her concern on groundwater contamination issues such as sewerage, the possibility of health problems, and the septic system in relation to flooding. Mr. Barry noted that the Board of Health would have comments on this issue.

Ms. Ann Chang posed several questions to the Board concerning the waiver for the retention pond, open space requirements, and land deeded to the Town.

Attorney Kadison responded to Ms. Chang's question on the retention pond and he stated that they do not know if the water supply will be private or public. If the 700 ft waiver is not granted, they may go back to the original plan, however, the Planning Board will make the decision as the boulevard was not of their choosing. Mr. Stamski commented that if the 700 ft requirement is moved, there could be another wetland crossing and there could be another location and redesign of the drainage system.

Ms. Theresa Stellar requested clarification of the open space size as well as perc and deep hole tests. Attorney Kadison stated that all lots have full required frontage including the stub (150 ft front). He cited several exceptions to frontage and reiterated that no decision has been made on deeding the land, nor are they willing to give up lots. Mr. Stamski added that 20 out of the 25 lots passed the perc and deep hole tests.

Mr. Barry requested that Mr. Stamski research the adjoining parcel on Robbins Street containing substantial wetlands (southerly side) for future access.

Mr. Stamski also assured Mr. Holloran that the existing stream nearby the wetlands would not be touched.

In response to Ms. Ginny Dionesotes concern of the developers intent to develop the adjoining property, Attorney Kadison stated that there was no plan to develop the site.

Mr. Tom Salvo referenced Section 6 of the Acton Subdivision Rules & Regulations. He noted the section on public interest and safety and suggested that the waivers have nothing to do with public interest.

Ms. Anita Sutherland stressed that the developer had not adequately addressed the single access issue, stub road requirement, or groundwater testing.

In response, Attorney Kadison referred to Chapter 81M requirements on subdivision rules and regulations.

Mr. George Sutherland suggested to the Board that they look at other areas in the Town for development since Meadow View poses so many problems with density, soil, water, and safety issues reaching to Central Street.

Attorney Kadison gave assurance of an 8-inch water main on Robbins Street and stated that the Acton Water District is asking the developer to extend the main to Nash Road or Central Street and it is presently in the discussion stage. Mr. Stanski added that they relied on the Water District reports which claim there would be adequate water pressure. Attorney Kadison followed up by reading the Water District Impact Report.

Ms. Dorothy Campbell submitted a letter to the Chairman for the record.

The hearing concluded at 9:22 p.m.

The Planning Board Minutes of 6/27/88 were accepted as amended and unanimously approved.

A necessity vote was motioned on Lot 5, 196 Newtown Road. Mr. Brathwaite moved to accept the Special Permit Common Drive Decision. Mr. Barry second. Messrs. Niemyski and Dennis abstained.

PCRC Discussion - Audubon Hill -

Mr. Barry suggested the Board think about incorporating zoning changes (format) into the Master Plan.

Attorney Kadison presented Mr. Barry with a letter granting the Board an extension for a decision to September 15, 1988. Mr. Brathwaite motioned to accept the extension for Meadow View to September 15, 1988. Unanimously approved.

Meeting adjourned at 10:15 p.m.

Respectfully submitted

Mary Giorgio
Mary Giorgio, Clerk