



PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 TELEPHONE (508) 264-9636

PLANNING BOARD MINUTES

Monday, June 26, 1989

Acton Town Hall

RECEIVED & FILED
DATE Oct 4, 1989
Catherine Belbin
TOWN CLERK, ACTON

Planning Board members present: Rob Block, Vice Chairman; Mary Giorgio; Greg Niemyski; Doug Carnahan, and James Lee.

Staff present: Timothy Smith and Mark Wert, both Assistant Town Planners.

I. The Highridge Subdivision: Charles Kadison, the attorney for the project, gave an overview of status of the subdivision proposal. He stated that the property boundaries are not in dispute. Rather his client and the adjacent property owner, Kirk Ware, had "agreed to agree" but did not establish the property boundaries. He further stated that the plan is now in accordance with what is wanted by the Town's Engineering Department.

The developer's engineer then talked about the new revised plan for the Highridge Development. He explained how they would stabilize the slopes and described the proposed drainage provisions.

After discussing when a final definitive plan could be finalized by, the Board voted to continue the hearing to September 11, 1989. They also voted not to accept any other information from the applicant after August 21, 1989 in order to give staff time to fully evaluate the plan.

II. Durkee Lane: Mark Shire, attorney for Lazaro Paving Co., presented the case for establishing Durkee Lane as a way in existence prior to the enactment of the Subdivision Control Law in 1957. He described the history of the land ownership and the subdivision of land adjacent to Durkee Lane. He read to the Board deed references to Durkee Lane that were made prior to 1957. He also listed the current uses of parcels on Durkee Lane. Mr. Shire listed a number of ANR plans signed between 1961 and 1984 by the Town of Westford. Pictures of the road were displayed as evidence that Durkee Lane provides adequate width and safe access.

Mr. Lazaro submitted to the Board a paving plan for Durkee Lane. He proposed to pave the road to a minimum width of 20 feet, put down a 2 inch binder coat, and a 1/2 final course.

Mrs. Giorgio asked Mr. Shire if the Board's approval would open up other parcels of land to development. Mr. Shire replied that each lot would have to stand on its own. Mr. Niemyski asked if the Lazaro Paving Co. would be relocating from their current location on River Street. Mr. Lazaro replied "yes."

The Board decided to walk Durkee Lane on July 15, 1989, at 8:30 a.m. They also decided to walk the Highridge site afterwards.

III. Parker Street Common Drive Special Permit: The engineer on the project, Joe March, presented the plan for a common drive off of Parker Street. He described the benefits that the town would receive such as a loop in the water main. He also showed the Board that the plan was in compliance with the Ground Water Protection District.

Mr. Hill asked if there were any sidewalks planned. Mr. March explained that the Petitioner planned to convey to the town a 10 foot wide easement along Parker Street so that the town could widen the road and put in a sidewalk. Mrs. Giorgio inquired if the emergency access way was drivable at all times of the year. Mr. March replied that it was and that it would be plowed in the winter. Mr. Lee asked what the grades of the driveways would be like? Mr. March replied that they would have a grade no greater than 12 %. Al Chrisow, an abutter, expressed his dismay at having the development access onto Parker Street. He felt that Parker Street was much too narrow to accommodate the additional traffic. The Board decided that they would make a decision on this project at their August 14th meeting.

IV. West Mead Lane: After a brief discussion, the Board voted unanimously to deny the approval of the preliminary subdivision plan entitled West Mead Lane.

VI. Stoneymeade Bond Reduction: The Board vote unanimously to reduce the bond as recommended by the Town Engineer Administrator. They did so, however, with the understanding that they would not look favorably upon another bond reduction until at least 50% of the remaining work was completed.

V. Meadow View: The Board agreed that they had come along way in the negotiations with Greg Paterson of MetWest Inc. Mrs. Giorgio said that if the plan had gone down to 16 lots she could have voted for a settlement. She stated that she felt very confident that the Planning Board's denial of the definitive plan was defensible and would stand up in court. The Board then voted unanimously by roll call vote to go into executive session. After the Board came out of the executive session they voted unanimously to deny the preliminary subdivision plan.

Meeting Closed.

Approved by the Planning Board

Mary J. Giorgio 10/2/89
Mary Giorgio, Clerk



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EXECUTIVE SESSION

PLANNING BOARD MINUTES

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Asst. TOWN CLERK, ACTON

Planning Board members present: Rob Block, Vice Chairman; Mary Giorgio; Greg Niemyski; Doug Carnahan, and James Lee.

Staff present: Timothy Smith, Assistant Town Planner.

The Board went into executive session to discuss their litigation with the developers of the Meadow View Development. The Board discussed how their decision on the preliminary plan for Meadow View could impact their case in court.