



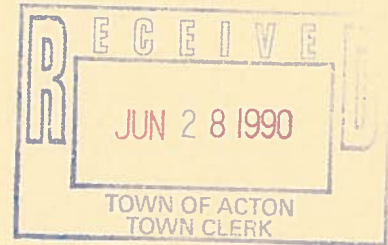
PLANNING BOARD • Town of Acton

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

ACTON PLANNING BOARD

Minutes of Meeting

February 12, 1990



Planning Board Members present: Chairman Mary Giorgio, Greg Niemyski, Jim Lee, Doug Carnahan and Quint Brathwaite

Planning Staff in attendance: Assistant Town Planner Timothy Smith and Planning Board secretary Donna Jacobs.

Chairman Mary Giorgio called the Board meeting to order at 7:30 PM.

I. Haley Lane Extension

Tim Smith advised the Board of the reasons for the requested time extension for endorsement of the Haley Lane Definitive Plan which were primarily delays caused in the review by the MBTA.

The Board discussed the extension request and voted unanimously to extend the time period for endorsement of the Definitive Plan for ninety days from the original deadline.

II. Highridge

Attorney Charles Kadison asked the Board to consider acceptance of covenants instead of three plan modifications required in the Certificate of Action for the Definitive Plan. Atty. Kadison explained that the three plan modifications required take the form of notes to be added to the plan. Due to a dispute with the registered land surveyor he is asking the Board to accept restrictive covenants in place of the required plan notes.

Mary Giorgio asked if Digital Equipment Corp. had signed the restrictive covenant. Atty. Kadison replied that he had been advised by Town Counsel that Digital's signature would be needed. Atty. Kadison is in the process of discussing this issue with Digital.

Quint Brathwaite moved to accept the restrictive covenant with conditions numbered 5 through 8 in lieu of the required plan modification. David Hill seconded the motion which carried by unanimous vote.

Other Business:

Nancy Tavernier, Chairman of the Board of Selectmen, met with Mary Giorgio to discuss the possibility of returning the Board to a five member Board. She advised that the Board of Selectmen would be interviewing a possible appointee as a replacement for Rob Block tomorrow evening. If the Board desires to return to a five member board and the Selectmen approve of the prospective appointee, they could appoint him/her as an associate member.

Greg Niemyski stated that he has no problem with a seven member Planning Board, but feels the Board should have input into the selection of appointees.

Quint Brathwaite reminded the Board that well qualified people have applied in the past and have failed to get appointed by the Selectmen.

Mary stated that she would advise Nancy of the Board's request for involvement in the selection process and the desire to remain a seven member board.

Tim Smith reported that Deck House has submitted a Preliminary Subdivision Plan that appears to have some problems. The Board reviewed the proposed subdivision and decided that it did not meet the definition of subdivision because there is existing frontage for the two lots, and should therefore be an ANR.

Mary Giorgio recommended return the application and plan to Deck House with a letter advising them that the plan does not constitute a subdivision of land in accordance with M.G.L. Ch. 41.

Tim Smith advised the Board that an opinion should be sought from Town Counsel prior to any action taken by the Board. Tim will advise the Board of Town Counsel's opinion in the near future.

III Quick Lube Groundwater Protection Public Hearing - continuation

Chairman Mary Giorgio reconvened the public hearing at 8:15 PM. Bruce Stamski of Stamski & McNary, engineering consultant for the applicant, requested continuation of the public hearing to March 12, 1990. Jim Lee advised the Board that he will not be in attendance that evening which may leave the Board short of the required 5 member quorum for a special permit hearing. It was agreed and unanimously voted to continue the hearing until April 9th at 7:30 PM.

Other Business:

Public Hearing for Zoning Articles - Mary Giorgio would like the public hearing to be a joint effort by the Board and the Planning Council and asked Greg to speak to the Council about this suggestion.

IV. Duston Lane

Chairman Mary Giorgio reconvened the public hearing for the Duston Lane Common Drive Special Permit. Mary reported to the applicant, Lee Dearborn, that the members had conducted site visits. As a result of the site visit, the Board is willing to go along with the Engineering Department's recommendations.

Lee Dearborn reported that the drainage problem would be resolved by creating a depression adjacent to the puddle area. He advised the Board that the turnaround location will accommodate an SU-30 vehicle in the T-shape as proposed. He further advised that the proposed turnaround meets with the approval of both Roy Smith, original developer, and the affected lot owner.

Mary Giorgio asked if Lee Dearborn would be able to accomplish the proposed solution for the drainage problem. Mr. Dearborn responded that he owns Lot 8 - the lot affected by the drainage solution, therefore it poses no problems.

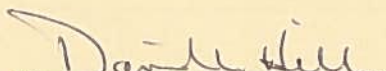
David Hill moved to close the public hearing for Duston Lane at 9:10 PM. Jim Lee seconded the motion which carried by unanimous vote.

Other Business:

MAGIC - David Hill will represent the Board at the March 8th MAGIC meeting to be held at the Maynard Town Hall.

Meeting was adjourned at 9:20 PM.

Respectfully submitted,


David Hill Clerk

DH/dmj