



## **Planning Board**

March 8th, 2023

7:30 PM

Virtual (Zoom)

Planning Board members present: Jon Cappetta, Sam Bajwa, Michaela Moran and James Fuccione

Also present: Kaila Sauer, Assistant Planner & Alicia Burak, Administrative Assistant.

Jon Cappetta read the guidelines for the virtual meeting.

Jon Cappetta called the meeting to order at 7:35 PM.

Sam Bajwa called the roll: Jon Cappetta-Aye, Sam Bajwa -Aye, Michaela Moran-Aye

### **I. Regular Business**

1. Resident Comments: None
2. Approve Previous Meeting Minutes: No meeting minutes were approved, they will be addressed at the March 21, 2023 meeting.
3. Board Member Reports: None
4. Administrative Updates and Reports: No reports were shared.

### **II. New/Special Business**

#### **1. Zoning Public Hearing**

Chair, Jon Cappetta opened the public hearing at 7:38PM

The Board reviewed the articles, listened to public comment, provided feedback and will vote at the next meeting.

#### **a. Groundwater Protection District – Acton & Maynard**

Alex Walstrom, Acton Water District described the proposed amendments.

The Water District is in the process of incorporating two deep bedrock wells for additional water supply and proposed changes to Zone 1 and 2 of the bylaw changes. Looking to update the maps, and to include Maynard in Zone 2.

**Board Comments:** Sam Bajwa agreed that the water sources are very needed and noted that it must be a complex process. Asked if more dams should be added. Alex stated that the water supply is fed by groundwater so things that are helpful is limiting pavement, parking lots and impermeable surfaces. Michaela Moran approved of the proposed changes.

Public Comment:

Kim Kastens, Pope Road- had questions on the zoning that was showed on the maps and asked if they have considered updating the categories of activities prohibited in the zones. Alex stated that the list comes from Mass DEP.

Terra Friedrichs, Mass Ave- asked for the Select Board to write a letter to Carlisle to be a good neighbor, and is in favor of the articles.

#### **b. Firearms Business**

Assistant Planner, Kaila Sauer presented a power point describing the proposed Firearms Business bylaw.

**Board Comments:** Michaela Moran stated that she thought the insurance limit was low. Why 100ft limit from residential areas but 500 ft from other uses? Kaila explained the purpose of the insurance policies and used Littleton Bylaw as an example. Kaila stated that after looking at other communities a 100ft or 150 ft buffer was used in residential areas. Michaela stated that she thinks a 100ft buffer is too close.

Sam Bajwa– Had similar questions as Michaela and said the plan was well thought out and seems fair.

Jon Cappetta - thinks 100 Feet is too close and should be considered and asked if there is a way to only allow one firearms business. Kaila noted that was considered in the in the original proposal but due to feedback from the community and select board, they decided to raise the allowed number to two.

#### **Residents' Comments:**

Terra Friedrichs, West Acton – expressed her support of antigrowth regulations. Evelyn Burns, Esterbrook Road, thinks there should be an age restriction to added to the bylaw and asked for clarity on the signage requirements. Kaila explained the requirements.

Dean Charter, 81 Charter Road – shared his concerns and stated he is extremely opposed to the proposed bylaw.

**c. Housekeeping Corrections**

Planning Director, Kristen Guichard, gave a presentation to correct inconsistencies in the bylaw and went through the proposed modifications.

**Board Comments:** None

**Residents' Comments:** Terra Friedrichs, stated that she ran the changes by architects in town, who have no issues with it. She also suggested creating a new zoning definition for battery storage facilities.

**1. PB21-1 – Extension Request– 50 Independence Road, Special Permit**

Brian Koppelman gave a summary on the history of the permit, noted the letter he shared with the board and requested a 1-year extension of the permit.

Board Comments: Michaela Moran asked the applicant if he is confident with the amount of time he requested. He stated yes.

Sam Bajwa and Jon Cappetta agreed that a year seemed like a reasonable amount of time.

Kaila Sauer notified the Board that the vote would have to be continued because not enough members were present.

James Fuccione joined the meeting at 8:50PM, allowing the board to vote.

At 9:15PM Brian Koppelman reentered the meeting to hear the vote.

Sam Bajwa motioned at 9:20PM to approve the 1-year extension request to PB21-1 with a new expiration date of 4/13/2024. Michaela Moran seconded the motion. Roll Call Vote: Jon Cappetta: Aye, Sam Bajwa: Aye, Michaela Moran: Aye, James Fuccione: Aye.

**2. Minor Amendment Request 484-486 Great Road (Betty Estates)**

Sherry Gould gave an overview of the project, and seeking an amendment to the decision to allow the conservation restriction be recorded prior to first occupancy permit rather than first building permit.

Sam Bajwa asked for the Planning Department's input.

Kaila Sauer stated the Planning Division is ok with the change and after further discussion with the conservation agent, they found that the order of conditions

actually tied the conservation restriction to the occupancy permit making it in line with what conservation has put in their decision.

Sam Bajwa stated he is ok with that.

Michaela Moran asked for clarification on how the conservation restriction works. Planning Director, Kristen Guichard explained the process.

Michaela Moran motioned at 9:11PM that the request PB19-02 as a minor modification and does not require a public hearing. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa- Aye, Michaela Moran-Aye, James Fuccione- Aye

Sam motioned at 9:13PM to approve the requested change to decision 19-02, condition 3.3.7 to change the finalization of the conservation restriction from prior to issuance of first building permit to issuance of first occupancy permit. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta-Aye, Sam Bajwa- Aye, Michaela Moran-Aye, James Fuccione- Aye

Michaela Moran motioned at 9:22PM to continue the Zoning Public Hearing to the meeting on March 21<sup>st</sup> 2023 to allow voting on the articles. Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta -Aye, Sam Bajwa- Aye, Michaela Moran- Aye, James Fuccione- Aye

Sam Bajwa motioned to adjourn the meeting at 9:23PM. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa- Aye, Michaela Moran-Aye, James Fuccione- Aye.

Materials used at this meeting:

Zoning Public Hearings

Fire Arms Business

Draft Article

PB Meeting 3-8-2023

3.8 Planning Board Agenda

Updated draft article-Firearms Business 3-7-23

Updated with track changes draft article

Ground Water Protection District-Acton and Maynard Combined

Draft Article

Groundwater- all town existing

Groundwater-alltown new

Groundwater-center region

Groundwater-maynard

Groundwater-northregion

Housekeeping Corrections Draft Article

How to participate remotely

Steve Marsh mail

Syncarpha REM Acton special permit request letter signed

Terra Email 484-486 Great Road