



ACTON ZONING BOARD OF APPEALS
Minutes of Meeting
7/15/2019
7:30PM
Acton Town Hall
472 Main Street
Room 204

Board of Appeals members in attendance: Ken Kozik, Adam Hoffman, R. Scott Robb.

Absent: Emilie Ying

Also present: Roland Bartl, Director Planning; Vivian Birchall, Administrative Assistant

1. Opening

Chair, Ken Kozik opened the meeting at 7:30 p.m.

2. Regular Business

Approve previous meeting minutes

After review of the 07/01/2019 minutes, Mr. Hoffman moved, and Mr. Robb seconded and the board unanimously (3-0) approved the minutes.

3 New/Special Business

3.1 ZBA 19-07 – Continued Public Hearing - Comprehensive Permit Application for land located at 90 School Street, 4 Piper Lane, 4 Piper Lane Rear, and 6 Piper Lane Acton, MA, Map H3-A parcels 3, 3-1, 3-2, and 17.

The Chair of the Board, Mr. Kozik, opened the public hearing at 7:35pm.

He requested Town Counsel to comment on the Town's Draft Memorandum of Agreement with Piper Lane LLC.

Town Counsel, Nina Pickering-Cook gave an overview of the Zoning Board of Appeals process in adjudicating the 4 Piper lane comprehensive permit application to date. She also explained the terms of the Draft Memorandum of Agreement with Piper Lane LLC.

The Attorney representing the neighborhood, Mr. Dan Hill and members of the audience had some comments regarding the Draft Memorandum including traffic and safety concerns, inadequate mitigation payments, effects on conservation land and density of the neighborhood.

After Board discussion, Mr. Hoffman moved, Mr. Robb seconded and the board unanimously voted (3-0) to sign the Memorandum of Agreement with Piper Lane LLC as presented, with the Board's signatures pertaining to its paragraphs 1 and 6 only.

3.2 ZBA 19-11 – Public Hearing - Comprehensive Permit Application for land located at 90 School Street, 4 Piper Lane, 4 Piper Lane Rear, and 6 Piper Lane Acton, MA, Map H3-A parcels 3, 3-1, 3-2, and 17.

The Chair of the Board requested to consolidate the two comprehensive permit applications into one public hearing.

The attorney representing the applicant agreed.

Mr. Hoffman moved, Mr. Robb seconded and the board unanimously (3-0) voted to consolidate the two applications into one public hearing.

3.3 ZBA 19-7/11 – Combined Public Hearing - Comprehensive Permit Application for land located at 90 School Street, 4 Piper Lane, 4 Piper Lane Rear, and 6 Piper Lane Acton, MA, Map H3-A parcels 3, 3-1, 3-2, and 17.

Mr. Bruce Ringwall, engineer for the applicant, presented a summary of the proposed project.

Mr. Louis Levine, the attorney for the applicant summarized departmental comments to the project, reviewed the location in the context of the Town's Zoning districts, responded to previous public comments and made an argument for the land owner's right to develop land based on regulations that apply only to that land.

Members of the public made comments to the presentation, mostly pointing out the concerns about possible effects of the proposed development to traffic, conservation, wildlife, density of the neighborhood, proposed retaining wall, rock blasting during construction, water quality impacts and sewer capacity on School Street.

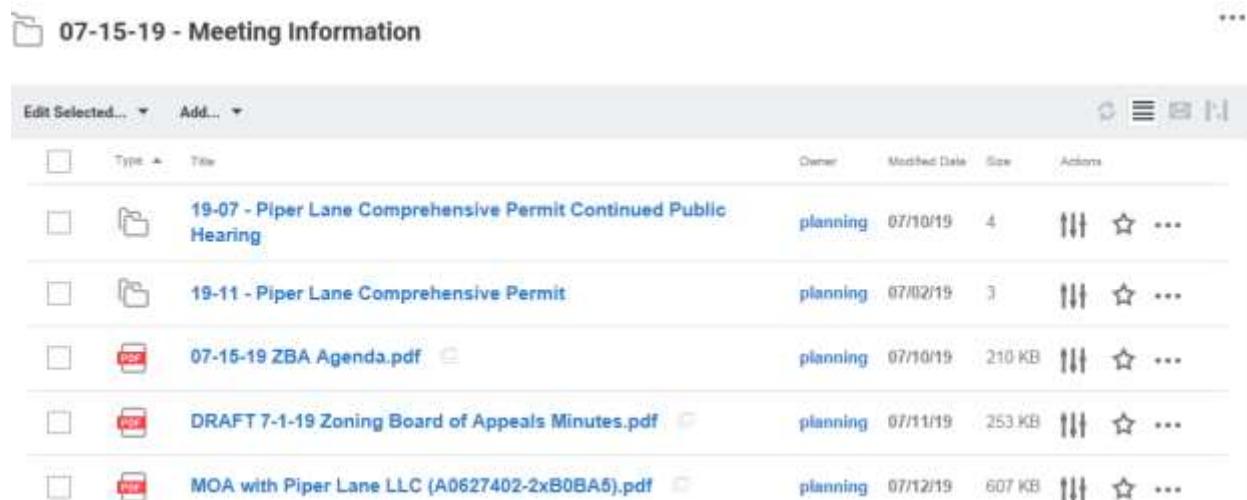
The board asked planning staff to initiate the process for contracting a firm to carry out a traffic and site distance study peer review, confirm that an official traffic study was submitted by the neighborhood group, and if so to include the additional materials commissioned by the neighbors for peer review.

Mr. Hoffman moved, Mr. Robb seconded and the Board unanimously (3-0) voted to continue the Public Hearing to August 26, 2019 at 7:30 PM in Town Hall, Room 204.

4. Adjournment

At 10:47pm, Mr. Hoffman moved and Mr. Robb seconded to adjourn the meeting. The motion was approved unanimously (3-0). The meeting adjourned.

Documents used



The screenshot shows a file management interface with a list of documents. The interface includes a header with 'Edit Selected...', 'Add...', and a search bar. The list is titled '07-15-19 - Meeting Information'. The columns are 'Type', 'Title', 'Owner', 'Modified Date', 'Size', and 'Actions'. The documents listed are:

Type	Title	Owner	Modified Date	Size	Actions
Folder	19-07 - Piper Lane Comprehensive Permit Continued Public Hearing	planning	07/10/19	4	☰ ⚡ ⚡ ⚡
Folder	19-11 - Piper Lane Comprehensive Permit	planning	07/02/19	3	☰ ⚡ ⚡ ⚡
PDF	07-15-19 ZBA Agenda.pdf	planning	07/10/19	210 KB	☰ ⚡ ⚡ ⚡
PDF	DRAFT 7-1-19 Zoning Board of Appeals Minutes.pdf	planning	07/11/19	253 KB	☰ ⚡ ⚡ ⚡
PDF	MOA with Piper Lane LLC (A0627402-2xB0BA5).pdf	planning	07/12/19	607 KB	☰ ⚡ ⚡ ⚡

19-07 - Piper Lane Comprehensive Permit Continued Public Hearing

<input type="checkbox"/>	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	Additional Public Comments		planning	07/15/19	26	  
<input type="checkbox"/>	Comprehensive Permit Application - Piper Lane, Acton, MA - hearing extension agreement 7-15-19.pdf		planning	07/11/19	36 KB	  
<input type="checkbox"/>	Open Space Committee 7-15-19.pdf		planning	07/15/19	100 KB	  
<input type="checkbox"/>	7-1-19 Meeting Packet		planning	07/10/19	0	  
<input type="checkbox"/>	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	AJ Jablonowski 7-15-19.pdf		planning	07/15/19	20 KB	  
<input type="checkbox"/>	Andrew Magee 7-15-19.pdf		planning	07/16/19	104 KB	  
<input type="checkbox"/>	Barbra Morse 7-13-19.pdf		planning	07/15/19	448 KB	  
<input type="checkbox"/>	Carl Siegel 7-14-19.pdf		planning	07/15/19	15 KB	  
<input type="checkbox"/>	Daniel Hill 7-15-19.pdf		planning	07/15/19	2 MB	  
<input type="checkbox"/>	Eugene Beresin 7-14-19.pdf		planning	07/15/19	101 KB	  
<input type="checkbox"/>	Green Acton 7-15-19.pdf		planning	07/15/19	121 KB	  
<input type="checkbox"/>	Jennifer Brown 7-15-19.pdf		planning	07/15/19	15 KB	  
<input type="checkbox"/>	Jillian Watson 7-14-19.pdf		planning	07/15/19	49 KB	  
<input type="checkbox"/>	Jim Salem 7-14-19.pdf		planning	07/15/19	14 KB	  
<input type="checkbox"/>	Judy Wener 7-15-19.pdf		planning	07/15/19	14 KB	  
<input type="checkbox"/>	Leah Abraham 7-15-19.pdf		planning	07/15/19	79 KB	  
<input type="checkbox"/>	Leona Li 7-14-19.pdf		planning	07/15/19	14 KB	  

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<input type="checkbox"/>		Lisa Marcus Jones 7-15-19	<input type="checkbox"/>	planning	07/16/19	14 KB			...
<input type="checkbox"/>		Lucinda Chalmers 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	30 KB			...
<input type="checkbox"/>		Michael Shulze 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	14 KB			...
<input type="checkbox"/>		Nik Mani 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	13 KB			...
<input type="checkbox"/>		Ramu Bollapragada 7-15-19.pdf	<input type="checkbox"/>	planning	07/15/19	551 KB			...
<input type="checkbox"/>		Robin Herr 7-15-19.pdf	<input type="checkbox"/>	planning	07/15/19	14 KB			...
<input type="checkbox"/>		Sarah and Kevin Amorin 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	14 KB			...
<input type="checkbox"/>		Scott and Alissa Nicol 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	18 KB			...
<input type="checkbox"/>		Supriya and Shirish Khandekar 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	198 KB			...
<input type="checkbox"/>		Suzanne and Tyler Berrier 7-15-19.pdf	<input type="checkbox"/>	planning	07/15/19	14 KB			...
<input type="checkbox"/>		Suzi Yarin 7-1-19.pdf	<input type="checkbox"/>	planning	07/15/19	13 KB			...
<input type="checkbox"/>		Yaqing 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	13 KB			...
<input type="checkbox"/>		Yvonne Wilson 7-14-19.pdf	<input type="checkbox"/>	planning	07/15/19	13 KB			...

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19-07 Piper Lane Comprehensive Permit Continued Public Hearing

Edit Selected...	Add...								
<input type="checkbox"/>		106 Review request 4 Piper Lane action.msg	<input type="checkbox"/>	planning	06/24/19	11B			...
<input type="checkbox"/>		Alissa Nicol 6-30-19	<input type="checkbox"/>	planning	07/01/19	15 KB			...
<input type="checkbox"/>		DHC Decision, Related Application Safe Harbor; Piper Lane LLC's CP, Action, MA..pdf	<input type="checkbox"/>	planning	06/27/19	210 KB			...
<input type="checkbox"/>		HDC Comments- April 25-2019	<input type="checkbox"/>	planning	06/24/19	210 KB			...
<input type="checkbox"/>		Historical Commission - June 22.pdf	<input type="checkbox"/>	planning	06/24/19	10B			...

Tools of Action

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19-11 - Piper Lane Comprehensive Permit

Edit Selected... ▾ Add... ▾

<input type="checkbox"/>	Type ▾	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>		Application	planning	07/02/19	11	  
<input type="checkbox"/>		Public Comments	planning	07/02/19	0	  
<input type="checkbox"/>		Staff Comments	planning	07/02/19	4	  

Type	Title	Owner	Modified Date	Size	Actions
	E-ONE BASE PLAN (031519).pdf  	planning	07/02/19	7 MB	  
	Piper Lane 40B Appl Subm 20190320.pdf  	planning	07/02/19	17 MB	  
	Piper Lane Condominiums (March 2019).pdf  	planning	07/02/19	37 MB	  
	Piper Lane Condos -combined - 030819.pdf  	planning	07/02/19	830 KB	  
	Piper Lane Condos RENDERINGS -combined - 030119.pdf  	planning	07/02/19	5 MB	  
	Piper Lane Hydraulic Report.pdf  	planning	07/02/19	481 KB	  
	Piper Lane Report Letter 3-7-19.pdf  	planning	07/02/19	1 MB	  
	Stormwater Management Report Piper Lane LLC (March 2019).pdf  	planning	07/02/19	3 MB	  
	Stormwater O&M Piper Lane LLC (March 2019).pdf  	planning	07/02/19	636 KB	  
	Watershed Map-Existing Condition.pdf  	planning	07/02/19	2 MB	  
	Watershed Map-Post Condition.pdf  	planning	07/02/19	3 MB	  

The committee does not consider itself qualified to judge the legal status of the documents. It is, however, the opinion of the committee that the documents are of historical and scientific value.

	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	 PDF	4 Piper Lane PD Memo.pdf 	planning	07/11/19	105 KB	  
<input type="checkbox"/>	 PDF	ACHC 4 Piper Lane revised comments to ZBA.6-25-19.pdf 	planning	07/02/19	245 KB	  
<input type="checkbox"/>	 PDF	Engineering Comments - Comprehensive Permit - 3rd submission - 6.20.19.pdf 	planning	07/02/19	251 KB	  
<input type="checkbox"/>	 PDF	Health Division Comments.pdf 	planning	07/10/19	82 KB	  

For the review of the materials used during the meeting, please visit: <http://doc.acton-ma.gov/dsweb/View/Collection-11131>

Respectfully Submitted,

Vivian Birchall
Land Use Department