



## PLANNING BOARD • Town of Acton

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

RECEIVED & FILED

DATE Feb 17, 1989

*Act Belbin*  
TOWN CLERK, ACTON

### PLANNING BOARD MINUTES

Monday, December 12, 1988 - 7:30 p.m., Town Hall

Members present: Chairman, John Barry; Members: Mary Giorgio, Robert Block, Quinton Brathwaite and Greg Niemyski. Staff present: Roland Bartl, Town Planner and Tim Smith, Assistant Town Planner

The Audubon Hill PCRC Public Hearing Continuance was called to order at 8:30 by the Chairman, Mr. Barry. He requested the developer to clarify snow removal and emergency access to the rear units, specifically, where the snow would be placed.

The representative from Johnson Associates illustrated the designated areas on the plan as well as fire safety and access to the clusters. Mr. Donahue stated that the Fire Department would have no problem with access.

Mr. Barry also raised the matter of grading and asked that the plantings be identified at the intersection of the driveway and to the elderly center. Mr. Donahue described the grading and contour lines and placement of plantings.

Concerning the removal of trees, Mr. Roy Smith added that two primary trees are involved at the entrance and it would not make any difference for these two trees if the entrance was changed, they would still have to be removed.

Regarding fire access, Mr. Tim Smith commented that the Fire Department indicated fire hoses would have no problem reaching any of the units on the site. Mr. Donahue pointed out the location of the fire hydrants.

Mr. Donahue illustrated the walkways on the plan. In response to Mr. Block's questions concerning provisions for pedestrian access from High Street or along the front of High Street, Mr. Donahue indicated that no provisions will be made for sidewalks.

Mr. Roy Smith commented that discussion of sidewalks and historic trees was raised at Town Meeting. A cut of 80 feet would affect trees with walls becoming more defined--this was not part of the permit process. The original concept plan required sidewalks for major sections of the road but not for along the recreation center.

Mr. Block wondered if there would be any problem in putting in a path within the existing trees at High Street along the front edge. Mr. Roy Smith noted it was not a major problem from down the street but that he couldn't do anything past private property.

Mr. Brathwaite felt perhaps some private owners wouldn't be uncomfortable with sidewalks. Mr. Smith stated that the liability goes to the owners of the land.

Mr. Donahue recognized some of the problems in identifying the units such as for post office deliveries.

Mr. Block proposed a guardrail or curbing on Audubon Hill. He identified the hazardous situation coming from the access road and asked if a rail and curbing on either side of the road could be provided. Mr. Donahue didn't think that would be a problem.

In addressing the concerns noted by Mr. Block, Mr. Roy Smith felt that he'd rather place plantings in those areas.

With regard to Mr. Barry's question of the length of Brewster Lane to the entrance of the cul-de-sac, Mr. Donahue stated that Brewster Lane is approximately 480 feet.

Mr. Baffry noted that a private road would provide access to public conservation land, how would this be accomplished?

Mr. DoRahue responded that there is a 40 ft access way to the parking area at the (provided in the plan) conservation land. A keyed gate will be located on the driveway at the end of Brewster Lane and will be controlled by the Conservation Commission. The gate will be opened in the morning and closed in the evening.

Mr. DoRahue noted that there will be rights-of-way on the pedestrian access and no right-of-way on the existing paths. Also, lighting was designated as proposed.

#### Questions/comments from the public:

Dr. Logan summarized some of the historical development of the land culminating into litigation which is currently pending.

He suggested that the Planning Board judge whether or not the subdivision meets the criteria and regulatory requirements subject to Section 9.7.1.10 of the Acton Zoning bylaw dealing with phased construction.

In his opinion, after reviewing the plan, there is no detailed phasing information and given the lack of such, requested the Planning Board require the application be resubmitted.

He noted several areas which lacked phase-in such as:

- a) no specific schedule of events;
- b) no contingency plan;
- c) no layered approach, and

finally, he requested the location of the phased construction indicators.

Mr. Donahue suggested that Dr. Logan's definition of phasing and the definition in the bylaw may be different.

He cited phases, as shown: S-1 to S-5 on the plan and indicated that phasing runs according to number.

Dr. Logan stated that the "S-1" number, etc. on the legend is not phased construction.

Mr. Donahue disagreed.

Dr. Logan felt the Planning Board should know how things would be done and according to the plans he has seen, they indicate the "end of the project," with no step by step details.

Mr. Barry advised that phasing was discussed at the public hearing and it was a condition of the decision as to what was to be built when -- Dr. Logan's point was well taken.

Again, Dr. Logan questioned if the plans Mr. Barry has seen included construction phasing and feasibility.

Mr. Barry responded that the phasing can be determined in the decision.

Ms. Giorgio added that in terms of the bylaw, phasing required by the bylaw is very, very general. The developer's plan meets the letter of the bylaw.

Mr. Brathwaite also noted that the Planning Board would dictate time parameters.

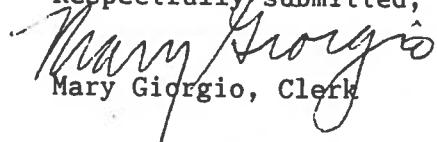
With regard to the phasing requirement, Mr. Block stated that, in his opinion, it is not the intent of the bylaw for the developer to present a construction schedule--the intent of the bylaw is to prevent a road from being partially completed for a period of years until a subsequent phase is sold and the road completed.

In response to a question of filling in wetlands, Mr. Donahue stated that two wetlands are shown which will not be filled in. They will create two man-made ponds. It was noted that there is contiguous conservation land. Copies of the plans are available to the public.

Mr. Barry also outlined the subdivision review and appeal process, and reminded everyone that the PCRC was approved at town meeting by a two-thirds majority. The open space will be deeded to the PCRC community.

The hearing closed at 9:22 p.m. pending information from the Acton Water District.

Respectfully submitted,

  
Mary Giorgio, Clerk