



## PLANNING BOARD • Town of Acton

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

RECEIVED & FILED

ACTON PLANNING BOARD

Minutes of Meeting

August 28, 1989

DATE Oct. 4, 1989

*Catherine Belbin*  
Ass't TOWN CLERK, ACTON

Planning Board members in attendance: Chairman Quinton Brathwaite, Greg Niemyski, David Hill and Vice Chairman Robert Block.

Planning Staff in attendance: Timothy Smith, Assistant Planner and Donna Jacobs, Planning Board Secretary.

The Planning Board meeting was called to order at 7:35 P.M. by chairman Quinton Brathwaite.

I. The Board met with Kirk Ware of Nagog Development Company for the release of the bond for Nagog Park Road and concerning his indication that he would submit Nagog Park Road for acceptance as a public way at the next town meeting.

Kirk Ware reported that the subdivision road was built in the 1970's but due to a title problem he has been unable to put the road up for town acceptance. As he now has clear title, he would like to make whatever improvements are necessary after the 10-12 years of heavy use and proceed to petition for acceptance of the road and the release of the bond.

Kirk Ware questioned whether the Board has any problems with accepting the road, other than those indicated in the letter from the Engineering Dept. Robert Block asked if the road was originally intended to be a private way? Kirk Ware stated the road was built to subdivision standards in effect at the time of construction. Kirk Ware stated that he did not want to go through with the necessary improvements and paperwork only to find that the Board would not recommend acceptance.

Robert Block expressed his opinion that roads should not be accepted by the Town unless they were originally intended to become public ways, and were built to comply with subdivision standards. Robert Block asked that staff verify Nagog Park Road was designed, built and originally intended to become a public way.

II. The completion status of Breezy Point Road was discussed in response to the developer's request for Release of the Performance Bond. Quinton Brathwaite reported that the road appears to be in compliance other than installation of fire call boxes which is the responsibility of the Fire Department. The Board voiced their concerns about the need for prompt installation of the fire boxes as a safety measure due to the long road length and the fact that several houses are now occupied. Robert Block questioned whether the Town has possession of the fire call boxes and sufficient funds for their installation. Assistant Planner Tim Smith reported that he spoke to Deputy Chief Craig on this issue and was informed that the boxes were at the Fire Dept. and sufficient funds were provided for their installation.

David Hill moved to release the bond for Breezy Point Road and write a letter to the Fire Chief advising of the bond release which was based on the advice that the Chief had the boxes and sufficient funds to install the boxes and would do so at his earliest possible convenience. Motion was seconded by Quinton Brathwaite and was passed unanimously.

III. David Hill moved to approve the minutes of the August 21, 1989 Planning Board Meeting as amended to correct a spelling error in the last sentence of the third paragraph on page 3. Motion was seconded by Greg Niemyski and carried unanimously.

IV. The Board discussed the Performance Bonds for Acton Technology Park, Heron View, and Laws Brook Place (Lisa Lane) which expire on September 1, 1989. Tim Smith reported that he expected to receive one year renewal bonds for each of the subdivisions prior to September 1, but that a vote was needed to protect the town in the event the bond renewals are not forthcoming. Robert Block proposed a motion to take the Performance Bonds unless they are extended by September 1st. The motion was seconded by David Hill and was carried unanimously.

V. The Board discussed the release of the performance bond for North Briar. The "as built" plans were filed with the Acton Engineering Department this past week. Final inspections have not been done, therefore the request for release of bond is postponed until after the final inspection report has been received by the Planning Board.

**Other Business:**

Timothy Smith discussed his conversations with Conservation regarding their concerns over sidewalks and roads in or near wetlands. Greg Niemyski suggested that Tim arrange a joint meeting of the Planning Board and Conservation Commission for the purpose of deciding on a town policy for the construction of sidewalks and roads near wetlands. A motion to have Tim Smith arrange a joint meeting with Conservation for September 20th in place of the regularly scheduled Planning Board workshop of September 18th was proposed by Greg Niemyski and seconded by Quinton Brathwaite. The motion carried unanimously.

The Board discussed briefly the new Definitive Plan for Meadowview filed on August 24, 1989. Tim Smith outlined the proposed development as a 21 lot subdivision with two access ways. The public hearing is scheduled for October 23rd and the decision is due on November 21, 1989.

Kevin Sweeney's letter requesting extension of his special permit (after expiration) was discussed by the Board. Tim Smith advised Mass. statute provides for the requirement of a new filing in the case where a permit has expired. The Board asked that Tim Smith investigate the status of the Comprehensive Permit before making a decision on the request for extension.

Greg Niemyski called members' attention to the reminder of the Master Plan Meeting scheduled for September 13th at 7:30 PM. Greg discussed the importance of increasing attendance at this meeting. Greg also advised the Board of the need to increase public awareness of the build-out report completed by the Master Plan consultants which predicts a 78% increase in building if the Town is fully developed under present zoning regulations. The report indicates that commercial development will increase 4 times over present amounts and the population of Acton will be approximately 30,000. Greg went on to remind the Planning Board that many of the actions called for within the Master Plan may become the responsibility of the Planning Board.

David Hill reported that he and Mary Giorgio attended the August 22 nd Selectmen's meeting as the Planning Board representatives.

David Hill went on to report that he is not able to continue as the Town's representative to M.A.P.C.'s Magic group due to their decision to focus their attention solely on the acquisition and preservation of open space.

Robert Block moved to adjourn the meeting at 8:45 PM, seconded by David Hill and carried unanimously.

Approved by the Acton Planning Board.

*Mary Giorgio* 10/2/89  
\_\_\_\_\_  
Mary Giorgio, Clerk Date