



Planning Board

May 21st, 2024

7:30 PM

In Person &
Virtual (Zoom)

Planning Board members present: Jon Cappetta, Michaela Moran, James Fuccione, and Patricia Clifford

Also present: Kristen Guichard, Planning Director & Alicia Burak, Administrative Assistant.

Planning Board members absent: Sam Bajwa & Nathan Cookson

Jon Cappetta read the guidelines for the virtual meeting.

Jon Cappetta called the meeting to order at 7:37PM

James Fuccione called the roll: Jon Cappetta-Aye, Michaela Moran-Aye, James Fuccione-Aye, Patricia Clifford-Aye

I. Regular Business

1. Residents' Comments:

- a. Attorney of Bumble Bee Way residents advised the Board of a letter he sent and intends to get on the agenda at a further date.
- b. Terra Friedrichs of West Acton submitted OSRP comments and recommended a public meeting on the topic

2. Approve previous meeting minutes – Continued to next meeting.

3. Board Members' Reports - None

4. Administrative Updates & Reports- The June Planning Board meeting has been rescheduled from 6/18/24 to 6/26/24 in room 204 at Town Hall. Planning Director Kristen Guichard advised that a public workshop for the “Habitat For All” initiative will be held on 6/18/2024.

II. New/Special Business

1. PB23-11-Continued Public Hearing – 75 Great Road, Sign Special Permit
Jon Cappetta opened the public hearing at 7:48 PM

The applicant was not in attendance therefore the hearing was continued to 6.26.24 at 7:35PM.

2. PB22-7- Public Hearing – 247 &249 Pope Road, Definitive Subdivision Amendment

Jon Cappetta opened the hearing at 7:50PM

Patricia Clifford was elevated to full member.

Paul Kirchner of Stamski and McNary presented on the request of an amendment to modify property lines that diminish the size of lots 1 & 2, and creates a separate (unbuildable) parcel to convey in the future to abutting properties.

Board Comments: Michaela Moran stated she did not approve of “spaghetti” lot lines and that the amendment is not practical and not good for the Town.

Patricia Clifford asked what the benefit of the amendment was to the developer and if any neighboring properties have expressed interest in purchasing the parcel. Paul Kirchner advised that if the new parcel was conveyed to one of the abutting properties, it could make a lot conforming and not subject to go to the ZBA for future permits. He noted that the developer has spoken to neighbors but none have expressed interest yet.

Residents’ Comments: Geoff Beach of 5 Bumble Bee Way, noted amendments in two other developments were never recorded at the registry of deeds and suggested making the recordings a condition of the permit.

Terra Friedrichs of West Acton, stated she agreed with Mr. Beach’s statements and did not agree with the proposed amendment.

Janet Adachi of Simon Hapgood Lane did not understand the benefit to the developer. Paul stated that the developer was trying to be a good neighbor.

Michaela Moran motioned at 8:23PM to deny PB22-7 Amendment. Patricia Clifford seconded the motion. Roll Call Vote: Jon Cappetta- No, Michaela Moran- Aye, James Fuccione- No, Patricia Clifford- Aye

3. PB23-10-Continued Public Hearing – 40 High Street, Definitive Subdivision

Michaela Moran recused herself from the hearing at 8:26PM

Jon Cappetta opened the hearing at 8:26PM.

Robert Melvin of Stamski and McNary and applicant presented new concept plan (Plan B) that addresses GCG's drainage concerns. He noted the Design Review Board and some neighbors preferred the original plan (plan A) because Plan B has a larger impact on the amount of trees being removed.

Resident Comments:

Michaela Moran, on behalf of Iron Work Farm stated her concern of the amount of trees being removed causing further water problems and urged the Planning Board to help control the water situation.

Peter Babcock of 43 High Street, William Bethune, representing Audobon Hill North, Scott from Wellington Properties, Jeff Fishman of 1 Bumble Bee Way, Geoff Beach of 5 Bumble Bee Way, Matt Hoffman of 7 Bumble Bee Way, Richard Kelleher of 46 Brewster Lane all stated their concerns about current water problems from Bumble Bee Way and future water problems with the proposed development.

Robert Melvin stated that he was confident with the proposed design plans of this proposed development.

Mike Carter of GCG addressed and explained the comments from the initial peer review adding that plan B would be a better approach with stormwater management.

He noted the system on Bumble Bee drains slower, and for a longer period of time but was not commenting on their design plan and whether it is designed correctly or incorrectly, only that he requests the design for 40 High street, the water be controlled and be controlled in a certain time frame.

Terra Friedrichs of West Acton, expressed her support of Plan B.

Royce Fuller, Owner of 40 High Street addressed the comments regarding Bumble Bee Way and advised that while he sympathizes with the residents, 40 High Street is a different project on a different piece of land and he has confidence in the design.

Mr. Beach noted section 9.9.1 of the Subdivision Rules and Regulations and asked if the Town could require 40 High Street to improve drainage on the public way.

Kristen Guichard noted that the Applicant was asking for a waiver from Section 8 and 9, but it does not negate the Board's ability to require compliance with certain sections. She noted that they could consult with Town Counsel to determine if this was a reasonable improvement to require of the Applicant.

Board Comments:

Board members expressed concern on the number of trees being cleared with Plan B and requested a landscape plan for Plan A.

James Fuccione asked what other drawbacks were in Plan B. Robert advised that plan B is not the preferred layout of the lots and that clustering the houses in the back may decrease the sale value of the lots, and an easement will have to be granted for parking.

The Board could not specify which plan they preferred and agreed that a continuance was necessary in order to review the new material submitted, and to hear feedback from other members, and Town Council

Patricia Clifford motioned at 9:42 PM to continue PB23-10 to 6/26/24 at 7:45PM. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta- Aye, James Fuccione-Aye, Patricia Clifford-Aye

4. PB24-02- Public Hearing- 738 Main Street (9 Wyndcliff Drive). Definitive Subdivision

Jon Cappetta opened the public hearing at 9:39PM

Michaela Moran re-entered the hearing as a member.

Robert Melvin of Stamski and McNary presented the proposed plans for a Definitive subdivision on 2.6 acres 4 lots with the existing dwelling lot to remain. He presented and discussed the proposed storm water management plan.

Ralph Burger of Wyndcliff Drive asked for clarification on frontage requirements and stated his concerns with the shape of the lots and potential future drainage issues.

Kristen Guichard noted that the applicant was only presenting an overview of the project and that the town has not yet reviewed the plans because the engineering peer review fee has not been paid yet.

Buck Chintamani of Wyndcliff Drive, shared his concerns of storm water drainage problems and trees being cut down and requested more information on the number of trees being cut down.

Mike Shih and Jay both of Main Street, and Kevin Donahoe of 5 Wyndcliff Drive, shared concerns of future drainage issues.

Terra Friedrichs of West Acton noted storm water concerns and is looking forward to the peer review for more information.

Michaela Moran motioned at 10:23PM to continue PB24-02 to 6/26/2024 at 7:55PM. Patricia Clifford seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Michaela Moran- Aye, James Fuccione- Aye, Patricia Clifford- Aye.

5. PB23-09 Amendment #3 – 123 Quarry Road Amendment request

Jon Cappetta opened the hearing at 10:23PM

Nathan Cataldo of Stamski and McNary presented plans on an amendment request for a change in the leach field location due to the results from a wildlife study with the Conservation Commission.

Patricia Clifford motioned at 10:32PM to approve PB23-09 amendment # 3. Michaela Moran seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Michaela Moran- Aye, James Fuccione- Aye, Patricia Clifford- Aye.

6. Review and Approve Open Space and Recreation Letter of Review

The Board reviewed and discussed the Open Space and Recreation Letter of Review. The chair will amend the letter to include language about advancing accessibility as a general concept.

Michaela Moran motioned at 10:39PM that the chair will amend the letter. Patricia Clifford seconded to motion. Roll Call Vote: Jon Cappetta- Aye, Michaela Moran- Aye, James Fuccione- Aye, Patricia Clifford- Aye.

Michaela Moran motioned at 10:41PM to adjourn the meeting. Patricia Clifford seconded the motion. Roll Call Vote: Jon Cappetta- Aye Michaela Moran-Aye, James Fuccione-Aye, Patricia Clifford-Aye.

Materials used at this meeting:

Planning Board Agenda

75 Great Rd application materials as follows:

Application

Abutters' list

Planning Division memos

Extension forms

Draft open space and recreation plan

Draft OSRP letter of review

40 High Street application materials as follows:

Abutters List

Application Packet

SW Report

Def.Sub

Subcatchment maps

Doc024

Signed form DP

Continuation

Emily Laubscher email

Richard Keleher email

Anne Forbes Email

GCG Peer Review letter

Engineering Comments 12.28

DRB Comments 12.14

Fire Comments 1.9.24

Historical Commission Comments 12.15

Planning Memo

Geoff Beach comments

Letters to Planning Board

Stormwater chapter x regulations

40 High Street Cultural Resource Info page

Extension forms

Planning Board Letter 5.7

Concept B

GCG Email

738 Main St Application Materials as follows

Application packet

Sw Report

6261A Def.Sub_FF

Proof plan

Subcatachments

Abutters list

Form dp

Water District Comments

Fire Comments

123 Quarry Rd Amendment:

Amendment Letter

Owner Consent

SW report

Plans

Abutters list

247 & 249 Pope Rd Amendment:

Application

Updated plans

Abutters list

Signatures

Letter to clerk