



**TOWN OF ACTON  
DESIGN REVIEW BOARD**  
Review Memorandum: Town of Acton Warrant Article 31

April 17, 2025

Design Review Board (DRB) Members in attendance: Peter Darlow (Chair), Holly Ben-Joseph, David Honn, Thomas Doolittle, Richard Keleher, and Jon Cappetta, (Planning Board Liaison)

Public in attendance: Terra Freidrichs

#### **Town of Acton Warrant Article 31**

The intent of the Town of Acton Warrant Article 31 is to replace the existing Planned Conservation Residential Community (PCRC) Bylaw with an amended PCRC bylaw as described in the Article and to allow the amended PCRC bylaw “By Right”. The existing Subdivision Bylaw, currently “By Right”, would be administered through a Special Permit granted by the Planning Board.

The DRB has discussed the proposed Article 31 at previous DRB meetings. The following comments are a result of discussions and conclusions reached at these DRB meetings.

#### **Issue 1: Use of the Resource Land for Septic System Leaching Purposes**

##### **DRB Findings:**

1. The DRB notes that under the proposed Article, 60 % of a parcel shall be set aside as “Resource Land” as described in 1.3.15 and Table 2.
2. The DRB notes that the perpetual use restriction of the Resource Land includes multiple uses and activities as described in 5.5.1 including...” or subsurface leaching areas if associated with septic disposal systems serving the Subdivision.”

##### **DRB Comment:**

1. The DRB has significant concerns that allowing leaching areas in the “Resource Land” may defeat the purpose of setting aside the Resource Land in an undisturbed manner allowing a indeterminate portion of the Resource Land to be environmentally compromised.

**DRB Recommendation:**

1. The DRB recommends the insertion of Paragraph 5.5.2 as follows:

“In order for a leaching field to be in the Resource Land, the project proponent will be required to demonstrate through existing conditions assessments, engineered studies, and documentation, that locating the leaching field in the non-Resource Land area of the site is an impossibility. If so demonstrated to the officials having jurisdiction, then the proponent will be allowed to use no greater than 15% of the Resource Land for a leaching area, including construction thereof”.

**Issue 2: Multi-Family Special Permit**

**DRB Findings:**

1. The DRB notes that under 5.7.2.1 “The maximum number of Dwelling Units shall be 15 units an acre...and households of low income”.

**DRB Comment:**

1. The DRB notes that a density of 15 units an acre is the density allowed in the recently adopted MBTA Zoning District in South Acton. The intent of the MBTA Overlay Zoning District is to promote a dwelling density adjacent to public transportation and to promote greater dwelling density within the South Acton Village District. To date, there have not been any projects constructed with a 15 Dwelling Units an acre density in the MBTA Overlay Zoning District. Thus, the positive or negative effects of this dwelling density on the Town cannot be assessed. The DRB is concerned that allowing 15 dwelling units an acre, essentially throughout the entire Town will dilute the intent of promoting Dwelling Unit density adjacent to the MBTA Station and within the South Acton Village District.

**DRB Recommendation:**

1. The DRB recommends deleting Paragraphs 5.7.2 through 5.7.2.8 from Article 31 until the effects of the 15 Dwelling Units an acre density in the MBTA Overlay Zoning District can be evaluated.

Respectfully submitted,

The DRB