



**ACTON PLANNING BOARD  
Minutes of Meeting  
February 21, 2017  
Acton Town Hall  
Room 204**

Planning Board members in attendance: Ray Yacouby, Chair Derrick Chin, Vice Chair; Jeff Clymer; Bharat Shah; Anping Liu, and Mike Mai.

Also present: Roland Bartl, Planning Director, Kristen Guichard, Assistant Town Planner, Robert Hummel, Assistant Town Planner, Katelyn Huffman, Planning Board Secretary.

Mr. Yacouby opened the meeting at 7:30 pm.

**I. Public Hearing – Proposed Zoning Changes**

Mr. Yacouby opened the meeting. He informed the audience members that he would recuse himself during the OP-1 Rezoning Discussion due to being a direct abutter to the area in question.

**Rezone Brookside Shops**

Mr. Bartl gave an overview of the proposed zoning change at Brookside Shops. He explained that the lot is currently zoned as Residential-8 (R-8) and would change to Limited Business (LB). This would allow for different use types in the plaza that are not currently allowed.

Mr. Yacouby opened the floor to citizens' concerns.

Graham Knowland, of 29 Esterbrook Road, informed the Board that he was concerned with the proposed zoning change. He informed the Board that the current plaza was continuously out of compliance and listed his concerns. His concerns were mainly focused on delivery violations, a broken gate, verbiage on signs and concern of lack of follow through.

Mr. Yacouby informed Mr. Knowland that the Planning Board and Planning Department had not heard from him in two years and noted that the Board spent significant time working with the property owner to come into compliance. Mr. Yacouby asked Mr. Knowland if he had notified the Town of the stated violations prior to tonight.

Mr. Knowland stated that this was the first time he was notifying the Town of these violations. Mr. Yacouby then asked the representatives of Brookside Shops to speak.

Alicia Busconi, of Keypoint Partners, spoke on behalf of management of Brookside Shops. She informed the Board that Keypoint Partners is the new property manager as of January 1<sup>st</sup>, 2017. Previously, Ms. Busconi spoke with Mr. Knowland about his concerns and has since made steps to remedy them. The management team has engaged CCTB Group to put in sensors at the back of the building which would provide live updates and alerts via email and phone calls. The gate was working properly for some time but was recently tampered with again which they immediately fixed.. They will be upgrading the gate and providing a tamper proof locking mechanism. Additional cameras will be added to monitor the area and they will conduct outreach to all of the retailers and their management teams to be sure compliance is met.

Mr. Shah asked if new leases still have a delivery time clause.

Ms. Busconi informed the board that they did, and they include shoveling, plowing, deliveries, and trash pickup in the clause as well.

Mr. Clymer asked when all the new items would arrive and the problems would be fixed.

Ms. Busconi informed him that it should be a couple of weeks.

Mr. Liu asked if there were any ramifications in each lease for repetitive violations.

Ms. Busconi informed the Board that she could not get specific but could confirm each business had its own individual conditions.

Dan Silva, of 28 Esterbrook Road, informed the Board that he also was concerned about the constant nighttime delivery violations and early morning trash pickup. He would like to see it remedied in the future. He also asked the Board about the reasoning behind rezoning Brookside Shops when the structure would still be nonconforming in its new district.

Mr. Bartl explained that Brookside Shops structures' dimensions would still be nonconforming, but their use would no longer be nonconforming. He noted with the zoning change, the plaza will continue to thrive instead of potentially becoming blighted later on due to the inability to adapt to new uses or expanded existing uses as time passes.

Ms. Friedrichs, of 627 Massachusetts Ave, asked if the new zoning change would allow for a larger building.

Mr. Bartl explained that it would not.

#### **Rezone 317 Central Street**

Mr. Bartl gave an overview of the proposed zoning change a 317 Central Street. He informed the Board that the parcel was currently zoned as Village Residential (VR) and the zoning change would make it West Acton Village (WAV). This zoning change would bring the use into conformity and mirrors the zoning of other such parcels in the area.

Jim Gennari, owner of Import Domestic Auto Center, introduced himself to the Board and gave a brief history of his business. He explained that the zoning change would allow him to apply for a Special Permit with the Board of Selectman to sell vehicles on his lot and give him an alternate source of income and better his relationship with his current clientele.

Ms. Friedrichs informed the Board that she had no problem with the business owner selling cars on his property but feared that rezoning the area could eventually lead to higher density housing in West Acton. She also asked if a use variance could be applied for. The Board informed her that it would be against the law.

Jessica Sundberg, property owner of 317 Central Street, informed the Board that she had no future plans to change the area and would let the business stand.

Mr. Clymer noted that every other business in the area is zoned as WAV and this would make things more consistent.

#### **Change FAR and Open Space Requirement for OP-1**

Mr. Yacouby recused himself from the discussion.

Matthew Selby introduced himself to the Board and presented the Board with a Powerpoint regarding the zoning change.

Chuck Alpuche, of Insulet Corporation, gave a Powerpoint Presentation to the Board regarding the company, its goals, and its interest and recent acquisition in Acton.

Mr. Chin reminded the audience that the article would allow for more expansion.

Ann Chang, of 8 Billings Street, felt that the Board should request that the article be put to the top of the second day of Town Meeting because it is so important to the Town.

Ms. Friedrichs asked about the tax abatement request.

Mr. Selby informed her there would be a public forum regarding the TIF on March 13, 2017 at Town Hall, Room 204.

Michael Saulnier, of 110 Nonset Path, asked for supporting information regarding hooking up to the private sewer treatment plant. He feared that it would be over capacity and cause problems for current residents.

John Bowden, of Insulet Corporation, informed Mr. Saulnier that they would have clean automated assembly and that they had been in contact with the private plant and it should not be an issue.

David Honn, of 105 School Street, voiced his approval of the proposal.

Erica Amir-Lin, of 534 Old Stone Brook, asked if a Traffic Study would be conducted.

Mr. Selby informed her that one would be done and the information would be available at the March 13, 2017 public forum.

Mr. Clymer asked what the study would tell the company besides the fact that it will be busy due to the new business.

Mr. Alpuche informed the Board that it would not be too big of a traffic impact due to staggered shifts.

Mr. Clymer asked if disinfecting occurred on site.

Mr. Alpuche informed him that it does not occur on site.

Mr. Mai asked if this would provide growth and provide increased revenues.

Mr. Apluche confirmed it would.

Mike Majors, of the Finance Committee and 2 Freedom Farme Road voiced his support for this proposal.

**Rezone 92 Piper Road**

Mr. Yacouby rejoined the meeting.

Mr. Hummel gave an overview of the proposed zoning change. He informed the Board that the proposed zoning change would change the lot from OP-2 to R-2 and bring the property's use into conformity.

Mr. Honn informed the Board that he felt the property was left this way on purpose and cautioned them from changing the zoning without further research.

Mr. Clymer asked what the zoning change would do for the owner.

Mr. Hummel explained that it would allow them to add an addition or raze and rebuild a home with a Special Permit from the Board of Appeals.

**Open Space Subdivision**

Ms. Guichard presented the Open Space Subdivision presentation. She informed the Board that the Planning Department would like to conduct additional public outreach and research and would request that the article be tabled for a future Town Meeting.

Ms. Friedrichs asked if and how secondary resources would be prioritized.

Ms. Guichard explained that they were discussing options with Town Counsel and would like to gain additional feedback from the public. She noted the Planning and Natural Resource Departments were in the process of working on a prioritization list. She also noted the intent is to keep the land value static and focus on a new design of subdivision development to preserve open space.

Mr. Honn asked how many PCRC's were in Town and how many subdivisions.

Ms. Guichard informed him that the numbers could be run.

Mr. Clymer asked if the Board had the ability to preserve resources with current standards.

Ms. Guichard explained that the Board currently had the power under the PCRC special permit but did not enact on it often.

**Housekeeping Articles**

Mr. Bartl gave an overview of the housekeeping articles. He explained that the housekeeping article regarding non-conforming lots would provide consistent language. He explained this article corrects the cross references for the terms used in Bylaw Section 3.3 c) and Section 6.3.1.1 following the changes made at April 2016 Annual Town Meeting for accessory apartments.

**Deliberation and Vote Regarding Brookside Shops**

Mr. Clymer made a motion to not bring the article forward to Annual Town Meeting.

Mr. Mai seconded the motion.

Vote: 3 Aye (Mr. Mai, Mr. Liu, Mr. Clymer) 3 Nay (Mr. Shah, Mr. Chin, Mr. Yacouby)

The article will not be brought to Annual Town Meeting

**Deliberation and Vote Regarding 317 Central Street**

Mr. Clymer made a motion to recommend the proposal to rezone 317 Central Street to Annual Town Meeting.

Mr. Shah seconded the motion.

The motion carried unanimously.

**Deliberation and Vote Regarding OP-1**

Mr. Shah made a motion to recommend the proposal to Annual Town Meeting and to recommend it be placed on the first night of Town Meeting.

Mr. Clymer seconded the motion.

Vote: 5 Ayes (Mr. Clymer, Mr. Shah, Mr. Mai, Mr. Chin, Mr. Liu) 1 Recusal (Mr. Yacouby)

The motion carried unanimously.

**Deliberation and Vote Regarding 92 Piper Road**

Mr. Shah made a motion to recommend the article forward to Annual Town Meeting.

Mr. Liu seconded the motion.

Vote: 6 Ayes

The motion carried unanimously.

**Deliberation and Vote Regarding PCRC**

Mr. Clymer made a motion to not take the proposal for the Open Space Subdivision to Annual Town Meeting and to table it for later consideration.

Mr. Chin seconded the motion.

Vote: 6 Ayes

**Deliberation and Vote Regarding Housekeeping Articles**

Mr. Clymer made a motion to recommend both housekeeping articles to Annual Town Meeting and to request that they be put on the consent agenda.

Mr. Shah seconded the motion.

Vote: 6 Ayes

The motion carried unanimously.

**Minutes**

Mr. Clymer made a motion to approve the minutes as amended.

Mr. Shah seconded the motion.

Vote: 6 Ayes

The motion carried unanimously.

**Presentations at Town Meeting**

Mr. Yacoby agreed to make the presentation for 317 Central Street and the Housekeeping Items (if applicable).

Mr. Chin agreed to do the presentation for the OP-1 Zoning Change

Mr. Shah agreed to do the presentation for the Rezoning of Piper Road

Mr. Clymer made a motion to adjourn the meeting.

Mr. Shah seconded the motion.

Vote: 6 Ayes

The motion carried unanimously.

The meeting was adjourned at 10:40 pm.

Respectfully Submitted,  
Katelyn Huffman  
Planning Board Secretary