



## **Planning Board**

April 20, 2021

7:30 PM  
Virtual (Zoom)

Planning Board members present: Derrick Chin (Chair), Ray Yacoubi (Vice-Chair), Jon Cappetta (Clerk), Sam Bajwa, and Nathan Cookson.

Absent: None

Also present: Kristen Guichard, Planning Director and Robert Hummel, Assistant Town Planner

### **Opening**

Chair Derrick Chin called the meeting to order at 7:33 PM.

Mr. Cappetta called the roll: Derrick Chin - Present, Ray Yacoubi - Present, Jon Cappetta – Present, Sam Bajwa – Present, and Nathan Cookson – Present, unanimous (5-0).

Mr. Chin read the guidelines for virtual meeting.

#### **I. New/Special Business**

##### **1.1 Public Hearing on Proposed Zoning Changes and Proposed Changes to the Subdivision Rules and Regulations**

Mr. Cappetta called the roll: Derrick Chin - Present, Ray Yacoubi - Present, Jon Cappetta – Present, Sam Bajwa – Present, and Nathan Cookson – Present, unanimous (5-0).

The Chair re-opened the public hearing at 7:48 PM.

Deliberations on the proposed changes for the proposed zoning changes.

#### **Public Comments**

- Mr. Charter asked about the special permit requirement.
- Ms. Friedrichs is not in favor of the draft article.
- Mr. Darlow seconded Mr. Charter's and Ms. Friedrichs' comments
- Mr. Dinno asked about the treatment of all businesses. He was in favor of requiring special permit in all zoning districts.

#### **Board Comments**

- The Board discussed making changes to the zoning amendment.
  - The Board discussed allowing up to a maximum of 2 drive-up lanes that merge into one and up to 3 drive-up windows.
  - The Board discussed requiring a maximum decibels level, and
  - A special permit throughout all of the zoning districts.



## Voting

(1) The Board closed the public hearing for the Drive-up Windows Zoning Amendment at 8:23 PM.

At 8:25 PM, Mr. Yacoub moved to recommend the article be put forth on the Town Meeting warrant with the following changes discussed: (a) a special permit in all districts, (b) allow up to, but no more than three windows, (c) allow up to two lanes that merge into one (d) decibel limitations with active voice control technology to mitigate sound pollution. The motion was seconded by Mr. Cappetta. Mr. Cappetta called the roll: Derrick Chin - Aye, Ray Yacoub - Aye, Jon Cappetta – Aye, Sam Bajwa – Aye, and Nathan Cookson – Aye, Unanimous.

### **1.2 PB 20-07 - Continued Public Hearing - Planned Conservation Residential Community (PCRC) Special Permit - 22 Elm Street**

At 8:43 PM, Mr. Chin reopened the public hearing.

Mr. Cappetta called the roll: Derrick Chin - Present, Ray Yacoub - Present, Jon Cappetta – Present, and Sam Bajwa – Present, and Nathan Cookson – Abstained (4-0-1).

At 8:44 PM, Mr. Cookson left the public meeting for the rest of the meeting's duration.

Mr. Bobrowski from Blatman, Bobrowski & Haverty discussed his submitted April 2021 memo to the Board and the draft decision dated April 20, 2021 prepared by the Town.

#### Public Comments

- Ms. Friedrichs reminded the Board about the Design Review Board's comments. She encouraged the board members to vote no.

#### Board Comments

- Mr. Chin asked Planning Staff to show the Neighborhood Exhibit Plan via screen share. Mr. Chin noted the size of the existing structures in the neighborhood ranges from over 7,000sf to 1,500sf. Mr. Chin stated that the proposed development was in harmony with the neighborhood when taking in account the existing condominium buildings which he stated was part of the surrounding neighborhood as it is only four lots away.
- Mr. Yacoub stated that the matter was straight forward after reviewing all of the application material and felt the neighborhood includes the schools and the condominium buildings, and that the open space unquestionably enhances the open space area that is added to the neighborhood, it does enhance open space and recreation plan.
- Mr. Bajwa agreed that with Mr. Yacoub's comments after visiting the site and reviewing the materials several times.

At 9:04 PM, Mr. Yacoub moved, Mr. Cappetta seconded, and the board unanimously voted to close the public hearing. The Clerk called roll: Derrick Chin- Aye, Ray Yacoub- Aye, Jon Cappetta- Aye, and Sam Bajwa- Aye, unanimous (4-0).

The Board reviewed the draft decision and made the following mandatory findings prior to voting:

Amended 8/10/21



The PCRC as shown on the Plan and as amended herein:

- complies in all respects with the applicable requirements of this Bylaw;
- enhances the purpose and intent of PCRC Development;
- enhances the goals of the Open Space and Recreation Plan; Town of Acton Zoning Bylaw
- is in harmony with the character of the surrounding area and neighborhood; and
- complies with the requirements of Section 10.3.5.
- The proposed PCRC as shown on the Plan and as amended herein complies with the applicable requirements of the Bylaw; is in harmony with and enhances the purpose and intent of the Bylaw, specifically Section 9; is in harmony with the existing and probable future uses of the area and with the character of the surrounding area and neighborhood; is consistent with the Master Plan; will not be detrimental or injurious to the neighborhood; and is appropriate for the Site.

The Board also granted waivers from Zoning Bylaw Section 3.13 (Traffic Study), Subdivision Rules and Regulations Section 8 & 9 (Design Standards) and 9.6 (Sidewalk Requirement).

At, 9:11 PM, Mr. Yacoub moved, Mr. Cappetta seconded, and the board unanimously (4-0) voted to approve the draft special permit decision as discussed at the meeting and to delegate the Planning Division to issue the draft decision on the board's behalf. The Clerk called roll: Derrick Chin- Aye, Ray Yacoub- Aye, Jon Cappetta- Aye, and Sam Bajwa- Aye, unanimous (4-0).

## **II. Regular Business**

### **1.1 Citizen Concerns**

There were none.

### **1.2 Approve Previous Meeting Minutes**

At 7:41 PM, Mr. Yacoub moved to approve the 04-13-2021 meeting minutes as amended at the meeting. Mr. Cappetta 2<sup>nd</sup>. Mr. Cappetta called roll: Derrick Chin - Aye, Ray Yacoub - Aye, Jon Cappetta – Aye, Sam Bajwa – Aye, and Nathan Cookson - Aye, (5-0).

### **1.3 Board Member's Report**

Mr. Cappetta gave an update from the last Design Review Board meeting as the Planning Board's liaison to the Design Review Board. The Design Review Board discussed the 47 Conant Street Definitive Subdivision and the proposed 40 unit Acton Housing Authority development.

### **1.4 Administrative Updates & Reports**

Mr. Hummel announced that he has accepted a new job with the Town of Belmont as their Senior Planner. He expressed how much he is going to miss working with the board and the Town.

Mr. Hummel noted that the Board's next meeting would be held on May 5, 2021 at 7:30PM to discuss the 47 Conant Street definitive subdivision proposals.

### **Adjournment**

At 9:22 PM, Mr. Yacoub moved to adjourn the meeting. Mr. Cappetta 2<sup>nd</sup> the motion. Mr. Cappetta called roll: Derrick Chin - Aye, Ray Yacoub - Aye, Jon Cappetta – Aye, and Sam Bajwa – Aye, (4-0).



Documents used at the meeting:

- 04/20/21 Planning Board Agenda
- DRAFT 04/13/21 – Planning Board Minutes
- Public Hearing on Proposed Zoning Changes and Proposed Changes to the Subdivision Rules and Regulations
  - Planning Board Zoning Public Hearing Packet 04-13-2021
  - Public Comments Emails regarding sound decibels
- Planned Conservation Residential Community (PCRC) Special Permit - 22 Elm Street Application
  - Draft Decision, dated April 20, 2021
  - Neighborhood Exhibit Plan

Also please see link for more information: <http://doc.acton-ma.gov/dsweb/View/Collection-13033>

Submitted  
Robert Hummel  
Assistant Town Planner