



## **Planning Board**

April 18th, 2023

7:30 PM

In Person &  
Virtual (Zoom)

Planning Board members present: Jon Cappetta, Sam Bajwa, Michaela Moran and James Fuccione

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

Planning Board members absent: Nathan Cookson

Jon Cappetta read the guidelines for the virtual meeting.

Jon Cappetta called the meeting to order at 7:32PM.

Sam Bajwa called the roll: Jon Cappetta-Aye, Sam Bajwa -Aye, Michaela Moran-Aye, James Fuccione- joined the meeting at 7:46PM

### **I. Regular Business**

1. Resident Comments: Residents of Willow Street, and tenants of board member Sam Bajwa, shared concerns about the validity of the permit issued for 90-92 Willow St. (PB21-04). Kristen Guichard advised them that the appeal period has passed for this permit and noted that the Town would not be able to advise them on any legal matters of appeals or filings.
2. Approve Previous Meeting Minutes: See continued regular business.
3. Board Member Reports: None
4. Administrative Updates and Reports: None

### **II. New/Special Business**

**1. PB23-1 – Continued Public Hearing–128 Great Road, Sign Special Permit**  
Chair, Jon Cappetta opened the public hearing at 7:36PM.

Applicant, Clint Keeney presented updated plans that show changes to the landscaping plan, including a landscape area within the free-standing sign where none was proposed before, and landscaping behind the building near the rail trail. He noted that he eliminated the proposed two signs above the windows that were not in compliance.

**Board Comments:** Sam Bajwa stated he liked the updated landscaping and recommended to add landscaping to the right of the building. Michaela Moran noted she liked that the proposed landscaped area is visible from the road.

**Public Comments:** None

Kristen Guichard noted that the meeting will have to be continued to May 16<sup>th</sup> because a super majority vote is required, and only three members were present that sat on the original hearing.

Michaela Moran motioned at 7:54 PM to continue PB23-1 to May 16<sup>th</sup> 2023 at 7:40PM, Sam Bajwa seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Sam Bajwa-Aye, Michaela Moran-Aye, James Fuccione-Aye.

**2. Public Hearing – Scenic Road, 87 Hayward Rd**  
Chair, Jon Cappetta opened the public hearing at 8:25PM

Corey York, DPW Director gave a summary of the proposed project stating that the Haartz Corporation is making improvements to their property and contacted the Ryan Hunt, the Tree Warden in regards to trees on Hayward Road that are in poor condition. Ryan marked 4 trees as high risk that need to be removed and noted concerns of 4 oak trees that they were not pruned well over the years causing detriment to the trees which overhang in the street. The Haartz Corporation proposed to pay for the removal of 4 trees and replace the trees with a 1:1 ratio. Corey York referred to the documents.

Corey York noted that an email opposing the removal of the trees was received, so the Select Board will be required to hold a hearing. The Select Board will look for recommendations from the Planning Board at their hearing.

He noted that there is a bylaw for the removal of public shade trees for a public purpose and if Haartz was doing this because they needed to for development, under the policy, it would be a 2:1 replacement ratio. But, because they are choosing to landscape their own property and offering to pay for the removal for the town's benefit it would be a 1:1 ratio. If the tree removal was denied they would still update their landscaping, but not remove the trees.

Board Comments: Michaela Moran felt the request was reasonable and the trees did not look like they were in good health.

Public Comment: Terra Friedrichs, West Acton – spoke about the email she sent about the cross-sectional method, and urged the Planning Board not to support the tree removal until further research is done.

Board Comments: Michaela Moran asked about the size of the proposed replacement. Corey stated that Haartz would work with the tree warden to determine the size using a 1:1 caliber replacement ratio, about 22 new trees, 3-4 inches each. She noted she would like to see the carbon footprint analysis referred to by Terra Friedrichs.

All present Planning Board members were in support of the removal of the trees, but agreed they wanted to continue the hearing to allow more for more input, and will suggest to the Select Board to move this hearing to the second meeting after Town Meeting.

Michaela Moran motioned at 8:25PM to continue the Scenic Road hearing to May 16<sup>th</sup>, at 8:00 PM to allow for more input from the board and more carbon footprint data. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta-Aye, Michaela Moran- Aye, James Fuccione- Aye

### **3. Amendment request for New View PCRC (#94-10)**

Dan and Sue Groher presented the plans on the proposed amendment to change the common land boundaries to allow for the installation of two solar canopies over parts of the two common parking areas.

Michaela stated that she believed it was a minor change.

Planning Director, Kristen Guichard advised the planning board that a super majority vote is needed so they would need continue the meeting.

The Planning Board members in attendance showed support for the proposed amendment.

Michaela Moran motioned at 8:32PM to continue the hearing to May 16<sup>th</sup>, at 8:15PM to allow for a majority vote. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Michaela Moran- Aye, James Fuccione- Aye.

**4. Appointment- Terra Friedrichs, Discuss Citizen Petition Articles 45,46 and 47**

Terra Friedrichs presented a power point on Citizen Petition Articles 45, 46 and 47 that will be presented at Town Meeting. (See document below)

Michaela Moran stated she was in support.

Kristen Guichard noted the presentation showed the comparison of housing costs of multi-family vs. single family and asked whether her proposal was to support more multi-family along with the article to limit the construction of single-family housing.

Terra Friedrichs noted the proposal does not support any new development of any form.

Jon Cappetta and James Fuccione stated that they liked what he heard in the presentation, but need time to process the information.

**5. Appointment- Peter Darlow, Design Review Board, discuss proposed tree clearing bylaw.**

Peter Darlow presented a power point on the proposed tree clearing bylaw. (See document below)

Peter asked for feedback from the Planning Board before he meets with the Select Board.

The Planning Board agreed to continue the discussion on May 16<sup>th</sup> at 8:30PM

**Continued Regular Business:**

1. Approve Previous Meeting Minutes: Michaela Moran motioned at 9:32PM to accept the meeting minutes for 3.21.23. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Michaela Moran- Aye, James Fuccione- Aye

Michaela Moran motioned at 9:32PM to adjourn the meeting. James Fuccione seconded the motion. Roll Call Vote: Jon Cappetta- Aye, Michaela Moran- Aye, James Fuccione- Aye

Materials used at this meeting:

4.18 Planning Board Agenda

Planning Board draft minutes 3.21

**PB21-01 Materials as follows:**

Permit Application

Revised Plan

Engineering Comments

Health Comments

Water District Comments

Planning Memo

128 Great Road Continuation Form

Northwoods Kitchens landscape plan

Sign specs for meeting

**Scenic Road Materials:**

Legal Notice

Scenic Road Hearing Request

Haartz Letter

Tree Warden Letter

Pictures 1 & 2

Terra Email

**Amendment Request for New View PCRC (#94-10) Materials:**

April 2023 revised survey plan

NewViewPlanAsFiledwith Registry

Section excerpts from 1995 PCRC Decision for the New View Condo Trust

Signed Request April 7, 2023

Petition, Articles 42-44 Reduce Impact of New Single Family Homes

Proposed Land Clearing Bylaw

Proposed Site Alteration Bylaw

Proposed Tree Preservation Bylaw

