



## ACTION PLANNING BOARD

### Minutes of Meeting August 16, 2016 Acton Town Hall Room 204

Planning Board members attending: Derrick Chin (Chair), Jeff Clymer, Michael Dube and Bharat Shah. Also present: Roland Bartl, Town Planner, Kristen Guichard, Assistant Town Planner, Katelyn Huffman, Planning Board Secretary

Mr. Chin opened the meeting at 8:00 pm.

#### I. Citizens' Concerns

None

#### II. Reports

None

#### III. Consent Agenda

##### A. Minutes

Mr. Clymer moved that the minutes of July 19, 2016 be approved as amended. The motion carried unanimously.

#### IV. 134 Pope Road – Scenic Road Hearing

Mr. Chin opened the hearing at 8:00PM. Mr. Chin asked the Planning Department their view on the matter.

Mr. Bartl explained that the Planning Department viewed the proposal as a second driveway and since the property already has a driveway, there really is no need to disturb the scenic road and create a second.

Mr. Clymer asked the applicant what was wrong with his current driveway.

Mr. Kelly, the applicant, explained that he has had many missed deliveries because his official address of 134 Pope Road did not have a driveway. He wanted a driveway to make it easier for guests to access his property and also because it matches his street address. He informed the Board he would not cut more than 16 feet out of the existing estimated 175 foot wall. He also indicated that he would be interested in extending the wall around the corner of his property to make up for the cut at a later date.

Mr. Dube asked if he would still be using his driveway off of Proctor Street.

Mr. Kelly indicated that he would still be using that driveway because it is easier to access the garage.

Mr. Chin opened the floor to public comment.

Terra Friedrichs of West Acton advocated for abutters for Scenic Road hearings. She also felt that the street cut was unneeded since there was already a driveway for the property off of Proctor Street.

Mr. Clymer made a motion to issue an opinion to approve the curb cut but only a cut of 16 feet and encouraged the applicant to continue the wall.

Mr. Dube seconded the motion.

The motion carried unanimously.

## **VI. Proposed Zoning Changes**

Ms. Guichard began with an overview of the proposed zoning changes. The first change she introduced to the Board was in regards to non-conforming lots and the special permit process. She explained that the Planning Department would like to get rid of the requirement for additions on non-conforming lots as long as all other current zoning requirements were met. She also informed the Board that the Board of Appeals expressed their support in regards to the matter at their August 1, 2016 meeting.

Mr. Clymer expressed concern in regards to getting rid of the Special Permit completely. He was wary that if it was completely removed that someone would abuse the right. Mr. Clymer felt that it would be more appropriate to keep the Special Permit but increase the percentage of increase of gross lot area that would trigger a permit, from 15% to 50%.

Mr. Shah agreed with Mr. Clymer.

Mr. Chin opened the floor to public comment.

Ms. Friedrichs voiced concern that it would take away the power of the people's voice. She would like to see it stay as it is.

Mr. Shah requested that data be compiled regarding the amount of non-conforming lots in Town.

Mr. Bartl agreed to ask for IT's help.

Mr. Clymer made a motion to bring the proposed article to the Planning Board Public Hearing on September 6, 2016.

Mr. Dube seconded the motion.

The Board then discussed proposed zoning changes for Restaurant Seating.

Ms. Guichard explained that the Planning Department would like Town Meeting to consider changing the amount of seats a restaurant can house by-right from 10 to 65. She stated that it would address some of the desires of the Acton 2020 plan and reduce the burden on restaurant owner.

Mr. Shah asked if this would also include fast food chains.

Ms. Guichard confirmed that it would include anything classified as a restaurant. She also stated that it would still keep the existing regulations for zoning because all lots that are zoned the same had to stay uniform.

Mr. Dube made a motion to bring the proposed article to the Planning Board Public Hearing on September 6, 2016.

Mr. Clymer seconded the motion.

The motion carried unanimously.

Ms. Guichard overviewed the proposed zoning changes for signs. She stated that there would be 3 major changes. These changes would help business owners and eliminate the need for sign special permits due to the effectiveness of administrative review. No changes would be made to the village districts except for EAV and EAV 2.

Mr. Clymer stated that he would be open to this if the Board did not have to review special sign permits as long as there was a review procedure from the Planning Department.

Mr. Chin opened the floor to public comment.

Ms. Friedrichs felt that there should be more enforcement on signs in Town overall and more fines. She did not agree with this proposed zoning change because she felt that it would take away from the citizen's voice. She asked if the Nagog Park Sign would have gone through a Special Sign Permit process.

Mr. Bartl explained that signs on a private way are susceptible to a different part of the bylaw and are reviewed by the Board of Selectmen.

Ms. Friedrichs urged the Board to hold the issuance of an opinion until they heard a recommendation from the Design Review Board. She felt that the Planning Department should protect the aesthetic look of the Town.

Mr. Dube explained that the Board is not responsible for the art of the signs, but for compliance with the law.

Mr. Dube made a motion to bring the proposed article to the Planning Board Public Hearing on September 6, 2016.

Ms. Guichard overviewed the proposed zoning changes for Accessory Apartments. She explained that detached accessory apartments were currently not permitted at all and that this zoning change would grant permission for these structures.

Mr. Clymer asked if these buildings would be allowed by right.

Ms. Guichard confirmed that they would be. She also explained that they would not be mobile and would have to be on a foundation.

Ms. Friedrichs voiced support for the project but was concerned that there were no regulations regarding design of these accessory apartments.

Mr. Shah asked if these accessory apartments could be leased out.

Ms. Guichard confirmed that these units could be leased out but they could not be sold as a separate unit.

Mr. Clymer and Mr. Shah both felt like this could have a negative impact but were willing to bring it to the Public Hearing on September 6, 2016.

Mr. Chin felt that this was a good alternative for those who could not afford to live in Acton but still wanted to stay.

Ms. Friedrichs suggested that the Board consider allowing these accessory apartments but only with a Special Permit. She also asked if the accessory apartments would count towards the Town's 40B goals.

Ms. Guichard stated that they would not count towards the Town's 40B goals.

The Board felt it would be beneficial to allow Town Meeting to decide, and to have it at the Public Hearing.

Mr. Dube made a motion to bring the proposed article to the Planning Board Public Hearing on September 6, 2016.

Mr. Clymer seconded the motion.

Ms. Guichard overviewed the proposed zoning changes for the overhead lights.

Mr. Dube made a motion to bring the proposed article to the Planning Board Public Hearing on September 6, 2016.

Mr. Clymer seconded the motion.

The motion carried unanimously.

The meeting was adjourned at 10:00 pm.

Respectfully Submitted,  
Katelyn Huffman  
Planning Board Secretary

Minutes of the August 16, 2016 Planning Board Meeting