



Acton Zoning Board of Appeal

Minutes of Meeting

January 19, 2017

Acton Town Hall

Room 204

Zoning Board of Appeal members in attendance: Ken Kozik, Acting Chairman and Suzanne Buckmelter

Also in attendance: Roland Bartl, Planning Director, Robert Hummel, Assistant Town Planner and Katelyn Huffman, Board of Appeals Secretary

Public Hearing # 16-14 – 31-49 Martin Street – Comprehensive Permit

Mr. Kozik opened the public hearing at 11:00AM. He informed all attendees that the hearing would be recorded so that Adam Hoffman, a Board member who was not currently present, could review the hearing in accordance with the Mullin Rule. Mr. Kozik then went on to explain the hearing process.

Mr. Gallagher of Seal Harbor, the applicant, overviewed the project proposal to the board. He has worked on the proposal over the last 18 months and has considered the opinions of the abutters, the ACHC, and the DRB.

Mr. Kozik asked about the wetlands on the property, and if Mr. Gallagher could point out on the plan the houses that they would like to preserve.

Mr. Gallagher explained that not all of the property is on wetlands, the houses will go onto uplands, and he pointed out the two houses that will be saved.

Mr. Kozik asked if any sidewalks would be included in the development.

Mr. Gallagher explained that he had had a traffic study done and it was determined that no sidewalks would be needed.

Mr. Bartl overviewed the planning department memo at Mr. Kozik's request. The planning department explained among other things that they did not agree with the waiver for the signage, recommended that the board require a sidewalk in the entrance area, asked for architectural drawings for the carriage house, clear up all confusion regarding bedroom sizes, and make the roadways narrower (24' to 20').

Mr. Kozik asked why they would want smaller roads.

Mr. Bartl explained that if the Town's subdivision rules require only 20' width for these local roads, and that the driveways are too short where extended vehicles would protrude into the street causing hazards.

Mr. Kozik opened the room to public comment.

Nancy Tavernier of the Acton Community Housing Corporation she explained that the ACHC has been working closely with the applicant. They have no issues with the proposal but noted that peer review may have to be done for the Stormwater piece of the project.

Mr. Kozik asked Ms. Tavernier to validate the fact that the developer allowed the ACHC to pick the affordable units, and she did.

Jeff Barry, of 21 Martin Street, was concerned that the applicant did not look closely at the groundwater and feared that the new houses in the development may be subject to flooding.

Anne Forbes, of 25 Martin Street, asked that the north boundary houses have a landscape privacy screen, asked for the applicant to confirm that the setbacks complied, wants concrete reason why the third building couldn't be saved, and mentioned that there is already a Haley Lane in Acton.

Anne Cochrane, of 13 Martin Street, expressed concerns about the increased traffic on an already narrow street and wants to see sidewalks for the development.

David Honn, of the Acton Design Review Board, expressed concerns on who would be moving the houses. He wanted to know why the applicant could not save the third house, and he mentioned the applicant needing to submit reports to the state.

The applicant addressed each individual's issues and took note of all requests that had been made.

Mr Kozik noted the themes of issue with the project revolve around water and access. He asked the applicant for a time at which the board could go on a site walk of the property. He also let the applicant know that he would like to continue the hearing so that all concerns could be addressed.

The site walk will be held on January 25, 2017 at 2:00PM at 45 Martin Street.

The meeting would be continued to January 30, 2017 at 371 Main Street, EOC, Public Safety Building.

Mr. Gallagher asked if he could make an unconventional sidewalk so that the flood plane would not be increased.

Mr. Bartl agreed that that could be a potential accommodation.

Mr. Kozik moved to continue the Public Hearing #16-14 to January 30, 2017 at 7:30 PM at the EOC, 371 Main Street, Public Safety Facility.

Ms. Buckmelter seconded the motion.

The motion carried unanimously.

The meeting adjourned at 12:30PM

Respectfully Submitted,

Katelyn Huffman

Zoning Board of Appeals Secretary