

# Planning Board

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**August 03, 2006**

## Acton Planning Board

### Meeting Minutes

August 03, 2006

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#### Members Present:

Chip Venell, Yoli Gallagher, Tom Cashin, Brian Belanger, Abraham Damuth, Jim Fiske,

**Members Absent:** Randy Goodwin

#### Guest Present:

Rick Meek, Ryan Adams, George Adams, Pat Frasier, Jim Driscoll, Nancy Ruma, John Moore, Percival Lowell, Rob, Paul Schumacher, Ken Paul (CEO), Michelle Rumney

Meeting called to order at 7:00pm by Chip Venell.

The minutes from July 20 were read and on a motion by Tom and Second by Yoli were accepted with addition of one word "field" on the last page following the word "leach"

Tom addresses the board for the Comprehensive Plan Implementation Committee. He suggests that the two boards collaborate and meet every month or month and a half to revamp the zoning ordinances to include not only changes for the Comp Plan, but to update law changes, consolidate, fix typos, etc. To start at page one and work from there. Tom stresses that the Comp Plan needs to have a secretary that is not a member. He is asking the town for expenditure for secretarial help. Though the Comp Plan is in fact part of the Planning Board, the comp plan does not have any financial support that the Planning Board does.

John Moore recommends that the town purchase a laptop computer to be used by the secretary at various board meetings to take the minutes.

Percy Lowell states that the Comp Plan Committee needs a paid secretary who is not a member because if they are taking notes they can not fully participate and be involved.

Paul Schumacher says that while there is no law requiring the Comp Plan Committee to have a secretary and take minutes, it would make the process easier for everyone involved. He suggests starting from page one and working through the whole document. Make it more user friendly, fix mistakes, consolidate, and consult with CEO for changes that he feels may be a problem area, and filter in changes from the Comp Plan.

Tom mentions that the Committee has talked of changing the voting format on these ordinances from open town meeting to referendum questions.

Percy asks how much can be done to these ordinances without going back to Town Meeting.

Chip replies that nothing can be done. A spelling error can't even be fixed.

Nancy tells that Wakefield has just revamped their ordinances and have included a chart that spells out what allowable uses are in each zone.

Chip tells the Comp Plan that the subdivision guidelines do not require town meeting, the Planning Board will take that and incorporate the Comp Plan sections on Subdivisions and revise.

Paul says that there are more recent models than the one the Town of Acton is currently using. The board requests a copy and Michelle will make copies for any members that want to have a copy of their own.

Chip reminds the Comp Plan Committee to contact Michelle to be added to the agenda of what ever meeting they would like to come and check in on progress.

#### Pat Frasier for Frasier Lane

A sample bank letter is given to the board for their review and revision. Ken suggests that the board request a condition be added stating that a letter of substantial completion from the engineers be provided for each time the draw on the money.

Pat asks what the time limit is for completion.

Tom notes that the model gives 2years from approval of final plan.

Pat tells the board that he would like to move the road 25 feet to the right to avoid a few big trees. This would not affect the lots and would prevent having to cut these hardwoods. The board tells him to have it on his final drawing when he comes in. Pat inquires that since York County Soil and Water has not been very helpful and the guy to do the review is now on vacation, can he use another engineer to do the review. He has a company in Gorham that is doing one for him for another location, and asks if this would be okay.

Chip asks the board if they are okay with that, the board agrees that they have no problem letting him use someone other than YCSW. Items for completion/approval YCSW review or approved engineer, homeowners agreement, letter of credit.

#### Rick Meek for Liberty Lane

Chip asks the Adams group if they have any problems adding the recommended changes from the Town attorney. Ryan and George reply that it.

In review of the conditions and notes on the plans it is discovered that the note on #18 is supposed to read a 760 contour and is 160 instead. Tom correcting.

Tom tells that he believes that restricting the Certificate of Occupancy should also be added to the performance guarantee and on note #19 on the plan discusses the wording and it is agreed that the note on #19 should end with .....sold, built upon or occupied; nor any occupancy permits issued.

Tom also notes that #16 on the plan in reference to the pretreatment on lots 1&3 should include a notification of completion to the CEO. The plan is updated to add a sentence at the end to read: Service record as performed shall be forwarded to the Town of Acton's CEO.

Brian motions to accept the subdivision with conditions, Yoli seconds the motion.

Findings of Fact are read:

- A) Will not
- B) Yes
- C) N/A
- D) Will not
- E) Will not
- F) Yes
- G) N/A
- H) \*\*\*
- I) Will not
- J) Yes
- K) Yes
- L) N/A
- M) Will not
- N) N/A

The board votes and approves the Liberty Lane Subdivision with the following conditions:

- 1) The changes recommended by the Town Attorney's Office are to be incorporated into the Road Maintenance Agreement and the Bylaws.
- 2) The typo on note #18 on plans needs to be corrected from 160 contours to 760 contours.
- 3) On note #16 on the plans a sentence to be added should read; "Service record as performed shall be forwarded to the Town of Acton's CEO"
- 4) On note #19 on the plans should read ".....sold, built upon or occupied; nor shall any occupancy permits be issued" until either A or B

*Mylar will show corrections and will be signed at the beginning of the next meeting.*

Tom speaks to the board and provides everyone with a copy of his letter to Rand in regards to the effects of the Board's decisions on the wetland studies that are provided to us are relevant to the drinking water, we do not see the effects on the animal and land. Tom reminds the board that more on the developers who wish to utilize these wetland areas. Rather than just engineers, we need to incorporate the use of a wetland ecologist into the mix.

Brian agrees that the board needs to address the wetlands differently, but until the things in research produce information, how can the board decide else is met based on information that is not yet available. This subdivision was a step in the right direction with the requirement of a wetland mitigation system on those two lots encroaching on the wetlands.

Tom explains to the board that he would like the board to address these wetland issues when the plans are first brought to us to avoid potential issues. The board agrees that the wetland issues should be brought up front as soon as the board sees a plan that has wetlands incorporated.

Meeting adjourned 9:20pm

