

# Planning Board

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December 21, 2006

## Acton Planning Board

Meeting Minutes

December 21, 2006

**Members Present:** Chip Venell, Tom Cashin, Brian Belanger, Abraham Damuth

**Members Absent:** Randy Goodwin, Jim Fiske, Yoli Gallagher

**Guest Present:** John Moore, Jamie Lowrey, Patrick Mulcahy, Edward Titcomb, Mike Cuomo, Ken Paul (CEO), Michelle Rumney(secretary)

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

The minutes from 12-07-06 were read and a motion by Brian and second by Tom were accepted as written.

Tom asks if the Stormwater control had been installed at Eagles Trace and if we had received letter from the engineers.

Ken replies that it is in, he has been up there a couple times in the past two weeks. Ken would like to work on setting up a powerpoint presentation with pictures Ken takes while out on these sites so the Board can see what has been done on these approved subdivisions. The Board agrees that this is a great idea.

Comments from SMRPC for Schofield (12-21-06) are read through and comments are made.

**Michael Cuomo for Schofield Subdivision** believes that the zoning map should take precedence and though by definition of RP the property does fit RP zoning, but clearly on the zoning maps, the RP zone is across Hopper Road from this property.

The Board remarks that zoning maps are not official boundaries; if a line is in question we look at the land. The Board believes that there is wording for this in the ordinance.

2.2.2 In Acton Zoning Ordinance is referenced.

Ken Paul believes that at training that the State says the map has precedence.

Mike Cuomo agrees with Ken's statement.

Ken references 3.1 in Acton Zoning: In any case of difference of meaning or implication between the text of this ordinance and any map or illustration, the text shall control.

The Board will ask for legal opinion on the State Statute and Town Ordinance.

Mike comments that if the lawyers use the wording over the map boundaries, he will have to redesign. He is here today to look at preliminary completeness, site walk, and a waiver of hydro geological study. Prelim Check off list is addressed:

- No subdivisions in the area,
- deed restrictions for driveway from one lot to another,
- deed restriction should be added to the notes on the right on the plans,
- contour lines did not show on the plan but were included in the sketch plan (a copy will need to be given to the board)
- 10% slopes in Shoreland District, outside shoreland slopes far exceed 10%

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Tom asks what the State codes are for wastewater pertaining to slopes, Mike responds that the slopes can not exceed 20%

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-Flood elevations, Ken tells Mike that he can use the NH flood maps that have the elevations on it for this

-Asking for a waiver of hydro study for the following reasons:

Septic far from down slopes, lots are over sized, far from wells, no aquifers in area, closest wetland is 190 feet down slope. Mike does not feel will protect the down slope wetlands or abutters.

Tom feels that the waiver should be tabled. His concern is that the soil is hardpan, the down slopes, no building envelopes. He would like to h opinion if this is a smart idea to waive. Possibly have rand or another geologist take an hour to go over the plans.

Tom motions to not waive the hydro geological study until the board has further opinion by Rand, Abe seconds.

Tom would like to amend his motion to: *not to waive the hydro geological study until someone in the field could give us their opinion if we wo responsibly if we do waive this study.* 2-1 motion passes, waiver tabled.

-Traffic study, see note 8 on 2 of 3 of plans

Still up in the air on Hydro Geological study. Michelle will contact John Rand for a reference for someone to help with the waiver issue.

Resource Protection borders in question: Michelle will seek legal advice in what takes precedence.

Site walk Scheduled for January 6, 2007 at 9am.

### **Jamie Lowery for Moose Pond Prelim Check off**

Feedback from SMRPC has not been received. The board will go through the check off list.

Locus Map: YES

Existing and proposed Roads: None proposed

Zoning Dist. Boundaries: Yes

Outline of proposed Sub: Yes

Prelim app/plans 9 copies: Yes

Loc.Town/ Map&Lot: Yes

Verification of right or title: deed and purchase and sale agreement

( Board will need a copy of deed when closed on)

Field Survey, certified land survey: Yes

Deed, covenants, restrictions: None proposed

Copy of covenants proposed: None proposed except existing

Contour levels: Yes

Acreage, property lines, and existing physical features, trees 24" greater in diameter: Trees are not on map

Sewage: Yes private septic

Water Supply: Yes private wells

Date prepared, scales magnetic north: yes

Abutters in 500 feet: Yes

Zoning Locations: Yes

Existing/Proposed Culverts: Not on map..need to add and old monitoring wells

Streets: N/A...need widths of H and Anderson Cove Road added to map

Lot Lines and dimensions: Yes

Public Use: N/A

Open Space to be preserved: RP delineated...N/A

County Soil Survey: Yes

Flood prone area, 100 yr flood elevation: Yes

Hydro geological Study: Yes

Traffic Study: 10/lot ..1/peak hour/lot

Parking Spots: N/A

NEED STILL:

Widths of Anderson Cove Road and H Road added to plan

Culverts and old monitoring wells added to plan

Trees 24" in diameter on the proposed lots only added to plan

Tom asks if the applicant would be open to reassessing the “potential vernal pools” in the spring. Jamie replies that they are moving forth as are vernal pools and are treating them as such. Moose Pond on agenda 1/18/06

John Moore expresses concern that the Subdivision Regulation Revision isn't getting proper time. The Board decides to hold a Special Meeting @7pm for Subdivision Regulation Revision. Notices will be posted.

On a motion by Tom and 2<sup>nd</sup> by Abe, the meeting adjourned at 9:45pm