

Planning Board

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January 19, 2007

Acton Planning Board

Meeting Minutes

January 18, 2007

Members Present: Tom Cashin, Yoli Gallagher, Jim Fiske, Brian Belanger

Members Absent: Randy Goodwin, Chip Venell, Keith Davis

Guest Present: Matt Winchell, Dave Billham, Jamie Lowrey, Pat Mulcahy Ken Paul (CEO), Michelle Rumney (secretary)

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Meeting called to order at 7:05pm by Tom Cashin

The minutes from 01-04-07 were read and a motion by Yoli and second by Jim were accepted as written.

Concept plan for phase 2 of Eagles Trace was delivered to the Board. On agenda Feb 1st.

Matt Winchell addresses the board in a matter brought before the board on Aug. 17, 2006.

Matt left the meeting believing he was fine to sell to his mother the piece of property that held his road frontage. She wants to build now and the CEO feels that subdivision review is warranted for the remaining parcel as his lot is now non-conforming. The lot initially was nonconforming; Matt obtained the piece that fronts Winchell Lane and combined with the "mother lot" making it a conforming lot with road frontage, and now has sold that portion making it again non conforming. Matt believed back in 1990 that by creating his driveway to town specs for a road or right of way, that this held his road frontage. He was advised to build this "road" by the CEO in office at the time and was given building permits. He was never directed to get Planning Board Review to have his driveway/road accepted by the Town.

Tom suggests that Matt's best course of action is to improve the road to the Town's current standards, bring in something drawn up by an engineer and have an engineer sign off that it is built to those standards. Then come before the Board with an application for Subdivision to have the Board review the road. There may be certain submission requirements that the Board may be willing to waive given the circumstance where it is really just review of the road.

Ken added that the slope and width of the road will probably be the biggest concern. As far as the building permit for his mother on the separated lot, have her submit an application and he will send the information to the Town's attorney to see how the Town should proceed.

It is a consensus of the Board that by creation of lot 80-2 Matt created a nonconforming lot of the "mother lot" because it did not have the required road frontage. It is the recommendation of the Board that Matt considers Subdivision Review of the Road that comes off from Sanborn Road into his "mother lot" to bring it back to a conforming lot.

Leo Menard for Harrelson Property

Leo is not present. The Board acknowledges that the Town attorney's view on this property deems it as legally being a subdivision of 3 lots by State Law. Ken suggests that the owner/buyer submit a plan to him of their intentions with the 3 lots to be sure that what they want to do on them will be permitted or require Planning review.

Jamie Lowrey for Moose Pond Subdivision

A revised copy of Sweet Associates review is submitted (dated 1/5/07)

#13 Existing Covenants are added to plan

Trees 24" or greater in diameter are added

Culverts are labeled, as are monitoring wells

Road Widths of H and Anderson Cove are added

Letter from SMRPC Jamie Saltmarsh feels that submissions are complete for prelim application.

Jamie tells the board that they are present for decision of completeness and preliminary approval.

Brian motions to accept preliminary plan for Moose Pond as being complete; Tom seconds the motion. Board approves preliminary completion.

Jamie explains some of the changes to the plan:

50ft ROW (potential road) is moved between lots 1 and 2 to acquire better sight distance, though the potential road is not up for review under town rules as they are planning for later on down the road. The lot lines of #1 and #2 are arranged so that they are at the boundary of the RP Zone or out of it. Lot 1 does not encroach on the vernal pools, and is the only lot that will have frontage on Great East.

Tom expresses concern that the plumes in some of the lower lots will be running significantly off the property line to the next lot. It may be so for lots 6 and 9 requiring an upgraded pretreatment on the septic as we have required of another subdivision in Town. Tom would like to see so envelope here.

Ken asks Pat if he plans on developing the lots himself or selling them. Pat said he may sell to a separate entity.

Tom confirms that John Rand has gotten copies of all this material for peer review of Sweet. No response from Rand as of this date.

Brian motions to grant preliminary approval for Moose Pond; Seconded by Jim. The Board votes to grant preliminary approval.

Meeting Adjourned at 8:10pm