

# Planning Board

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**May 03, 2007**

## Acton Planning Board

### Meeting Minutes

May 3, 2007

**Members Present:** Chip Venell, Tom Cashin, Jim Fiske, Randy Goodwin, Brian Belanger, Yoli Gallagher, Keith Davis

**Guest Present:** David Billham, Jamie Lowery, Patrick Mulcahy, Jamie Saltmarsh, Ken Paul (CEO), Michelle Rumney (secretary)

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

Minutes from 4/5/07 were read and on motion by Yoli and second by Keith were accepted as written. Minutes from 4/19/07 were read and on motion by Randy and second by Jim were accepted with wording change..

#### Sebago Tech for Moose Pond Village Subdivision

Jamie notes that a memo from John Rand states that he is on board with the changes made and conditions added to plan to meet his recommendations. Also stormwater/erosion issue added to note #17 on plans. Ken recommends contacting the Road Commissioner before putting any culverts in.

The owner of the mother lot (land to be retained) will have to become a member of the Anderson Cove Road Association as well.

The Board asks if any of the lots will share driveways; Jamie replies that they do not have that intention.

Findings of Fact are read and found that this subdivision meets all the criteria to those applicable.

- |                           |             |
|---------------------------|-------------|
| A) n/a                    | I) n/a      |
| B) yes                    | J) yes      |
| C) n/a                    | K) n/a      |
| D) will not (#16 on plan) | L) will not |
| E) will not               | M) n/a      |
| F) Yes                    | N) Yes      |
| G) n/a                    |             |

Motion by Brian and second by Yoli to accept the findings of fact. Approved

Randy motions that none of these lots shall be further subdivided to be a condition, seconded by Tom. Approved

Tom motions that all new residences on lots 1 thru 12 be equipped with sprinklers that meet the AFD recommendations to be a condition; Brian seconds. Keith states that he didn't think Building Code should be something the Board steps into.

Approved. (1 no vote)

Conditions:

- 1) Notice to purchasers of lots on Anderson Cove Road must be attached in the deeds of these lots, the requirement to join the Anderson Cove Road Association.
- 2) Lots 1 thru 12 can not be further subdivided, as will be noted on the plan
- 3) The driveway for lot 1 shall be constructed in the General Purpose District only
- 4) All new residences on lots 1 thru 12 shall be equipped with sprinkler systems that meet the Acton Fire Department recommendations, as will be noted on the plan.

Brian motions to approve Moose Pond Village Application with conditions; Tom seconds. Approved (Randy abstains from voting)

-Randy motions to accept the definition changes for zoning; Tom seconds. Approved

-Tom makes note that Eric Hamil of the DEP should be invited to speak to the board about the states process in reviewing transfer station/solid waste facility applications. We will invite him to come June 7<sup>th</sup> and inform Pat Hannon so he can attend if he wishes. Pat should also be notified that his application is not complete yet; he needs to submit the required material and plans before a public hearing is scheduled. The scheduling of a site walk was premature itself.

Jamie Oman-Saltmarsh of SMRPC is present and explains to the board that she thinks an informational with the DEP is a great idea. This will give the Board a better idea of how to handle their review. She explains that the board can not accept or deny on condition of State approval. The state and the town have to review separately; one can not wait for the other. From the date the application is accepted as complete, a public hearing is to be scheduled, the Town has 75 days to act on the application. The only contingency the Town can put is to add a condition that if the conditions of the DEP make a large change on the plan approved by the Town, that the applicant come back with an amendment to the original approved plan.

Tom is concerned that this is not an amended use; where the original use is for storage and repair, it is now proposed for storage of waste and processing. Jamie agrees that this is a change of use by looking at your land use table. Tom makes a motion that after initial discussion at the previous meeting with Mr. Hannon and review of the zoning ordinance, the Board find this as a change of use rather than an amended use. (Tom references 6.6.3.2b in zoning) Randy seconds the motion. Motion approved, Pat will be notified.

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Tom motions to utilize SMRPC's services to assist in review of Mr.Hannon's Conditional Use Permit Application dated 3/24/07;Yoli seconds.

Tom inquires and Jamie confirms that Findings of Fact for CU/ and Conditions of Approval allow the Town to require a traffic study and 3<sup>rd</sup> party allow for a hydro study and 3<sup>rd</sup> party review. However the timeline has to be followed. The use also has to be consistent with the accepted and Comprehensive Plan.

**Ken Paul for Best Possible Location -Stephen and Sharon Delgenio**

(Map 17 Lot 22 - 276 34th Street)

Replace dwelling that suffered storm damage. Rebuild same size /same location. In foot print of where it is now if not further from property lines plans are reviewed.

Brian motions to accept Ken's recommendation; Jim seconds. BPL approved.

-The board discusses Durwood's letter in response to the Hebo Hybo Road. The members feel as though the questions were not adequately addressed. It is important to have a commercial enterprise on a discontinued road. The board will revisit at a later time pending the applicant comes back with plans.

Brian motions to adjourn; seconded by Yoli.

Meeting adjourned at 9:15pm

~Schedule Eric Hamil of DEP for June 7<sup>th</sup> and notify Pat Hannon

~Notify Pat Hannon of Change of Use not Amended

~Send conditions of approval to Moose Pond Village Applicant