

Planning Board

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May 17, 2007

Acton Planning Board

Meeting Minutes

May 17, 2007

Members Present: Chip Venell, Tom Cashin, Keith Davis

Guest Present: Darren Smith, John Moore, Ron Auger, Carl Beal, Michael Peverett, Ken Paul (CEO), Michelle Rumney (secretary)

Minutes from 5.3.07 were read and on a motion by Keith and second by Tom were accepted as written.

Public Hearing for Changes to Definitions in the Acton Zoning Ordinance

Chip opens the floor for comments or questions. None are offered. Public Hearing Closed.

Darren Smith for Conditional Use

Darren explains that his intentions are to build cabins for rental on his 62 acre parcel on Tattle Street. Access to the Tattle Street is from Milton Mills Road. 35 acres of this parcel would be for the cabins. He is currently building his residence on this property. These cabins would be rustic, no electricity running to them, gas operated. He would use the existing trail as access in and out of the property. These cabins are for camping purposes, not for year round extended stays. No written plans are submitted. Mr. Smith is here to see what the board will require of him for this proposal.

Keith asks what his deed states for access on Tattle Street? Darren responds that he does not recall anything from the deed. He also explains that he has verbal approval from other landowners on the road.

Chip asks if Darren has gone to the State to find out what their requirements would be and what permits he has to obtain from them. Darren replies that they require mostly the same as the town. Chip recommends that Darren look into the composting toilets rather than full septic for each cabin.

Tom asks what the nature of occupancy would be. He recommends that in the plans that year round living be prohibited. Darren explains that his biggest idea on this matter would be time shares, but would not be extended stays.

Keith explains that he does not believe this to be a campground. These would be permanent structures with septic systems, which would lead more towards a subdivision.

Chip explains that this would require at least 20,000 sq.ft per building, with domestic wells and the road would have to be built to town standards to get the required frontage.

Keith recommends putting his plans in writing and submitting them to the CEO so he can send them for an opinion to legal services on how to proceed with this application. The verbal plans seem to fall out of campground/Conditional Use regulations and more towards a subdivision.

Chip tells Darren to contact the state and find out exactly what their permits will entail. Get the board something more definitive.

Tom also suggests that Mr. Smith research the status of Tattle Street.

Chip asks if he has a copy of the deed. Darren does not have it with him. Chip asks if he knows when this lot was created. Darren replies he believes it was in the 1800's.

Tom asks what the minimum floor space is. Ken replies that it is 450sq/ft. Tom refers to 6.2.8.b in the zoning which calls for 450/2people and adds 100 sq/ft for each additional occupant.

Chip tells Darren to call the State, write up his plans, submit to CEO with a copy of the deed and we'll send this to MMA for an opinion.

Carl Beal of Civil Consultants & ASA for 2 lot subdivision w/road (M 257-L 19) (M 18- L 2)

Intentions to split lot into two lots. Will need to build road to standards to get road frontage for 2 lots. Has a 50ft ROW off Foxes Ridge Road. 1990 ROW is in common ownership. ROW serves 5 lots currently.

Keith recalls that over time it became a road, lots were created illegally over time and houses were built, but it has never legally been documented as a road, just assumed so.

Ken continues that the ROW needs a name, a paper trail for the title and mortgage companies. This matter should be cleaned up so these houses can have proper addresses.

Tom is concerned that some of this may be Resource Protected. He refers to 4.1.2.4 where wetland is defined and the setback would have to be 250ft from the wetland.

Keith explains that we looked at this previously and decided that the amount of wetland did not have to be deducted from the total lot size for conformance, but we did not look into to see whether this wetland may be RP. In the case of RP, you can not include the area in your 90,000 sq ft minimum.



















The board recommends getting this wetland delineated to see if they will have enough land left over from the RP to continue with the lot split.

Mr. Auger explains that if he can not split, he will not be required to build the road up and will not improve on the road.

Steve Garvin for BPL at 1378 West Shore Drive

Mr. Garvin explains that he had a tree come down on his 6'3" x 8'3" storage shed from the Patriots Day storm. It was built in the mid 1950's 18ft from the water. He would like to replace with a new shed 6x8 and move an additional 5 ft from the side property line.

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Ken explains that this is a nonconforming lot of record, however there is place outside the 100ft setback from the waterline to build, but it is us boat supplies and would not be useful up the steep hill for access. This in under the Planning Board jurisdiction, you could approve this with tl DEP approval for the Permit by Rule. But he would also recommend rotating the camp 90degrees to gain a few more inches from the water.

Keith motions to use Ken's recommendation and accept contingent on DEP approval; Tom seconds the motion. BPL approved contingent on I

John Moore on Subdivision Regulations

John asks the board if they can finish the final changes to the subdivision regulations. The board looks over changes and agrees to set a public 21st at 7pm. Michelle will have to type up these changes in time for the hearing. Chip will meet with Michelle tomorrow to go over the chang

Meeting adjourned at 9:35pm.