

Planning Board

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October 05, 2007

Acton Planning Board

Meeting Minutes

October 4, 2007

Members Present: Chip Venell, Tom Cashin, Keith Davis, Yoli Gallagher, Jim Fiske

Members Absent: Brian Belanger, Randy Goodwin

Guest Present: John Moore, Rob Dennis, Leslie Dennis, Pat Frasier, Larissa Crockett, Peter Baldry, Ted Kryzack, Michelle Rumney(secretary)

Meeting called to order at 7:00 by Chip Venell

Minutes from 9/20/07 were read and on motion from Tom and second from Keith were accepted as written.

Tom asks if the Chairman would be open to tabling any review of the Hannon Application after the hearing until the boundary survey is submitted. Chip replies that he's not sure. It will be addressed when the time comes.

Public Hearing on Dennis Lane Subdivision - major

Leslie Dennis explains that his intentions are to split two lots off his existing lot to build a house for him and his son and allow his daughter to live in the existing house. A road will need to be built to provide for sufficient road frontage for the two new houses.

Larissa Crockett asks what the definition of a subdivision is and why is there a hearing for this. Chip responds that by the town's definition a subdivision is the creation of 3 or more lots or the creation of a road. Because Mr. Dennis is proposing a road, that makes this a subdivision even though it is a legal family split.

Larissa expresses concern that the abutters will be able to extend this road and create future subdivisions off from this one and asks if there is a way to prohibit that.

Chip explains that there are limits as to what the Board can prohibit.

Tom asks the applicant if he objects to the proposal in Al Fricks letter of protecting the buffer with minimal cutting within the 75 ft buffer. Mr. Dennis responds that he doesn't want to cut any more than necessary for the house lots anyways.

Findings of Fact are read:

- | | | |
|-------------|------------------------|----------------------|
| A: will not | F. yes, private septic | L. n/a |
| B Yes | G. n/a | M. will not |
| C. N/a | I. will not | N. not in flood zone |
| D. will not | J. Yes | |
| E. will not | K. yes | |

Tom makes a motion that Leslie Dennis has met the approval standards for subdivision as presented to us, seconded with conditions

Conditions of approval:

- 1) In reference to the letter from Al Frick dated July 2007 referring to wetland conditions, these potential vernal pools shall be treated as significant vernal pools and applicant will abide by those setbacks.
- 2) No further subdivision of the property
- 3) Road will remain private

Subdivision approved with conditions.

Chip explains that the plans will be given to the 911 road naming committee and the applicant will be responsible for the bill for the sign. It is Chips understanding that the town will order the sign for the applicant, but it is their responsibility to pay for and erect the sign.

Public Hearing for Orchard Meadows Subdivision – Minor

Patrick Frasier on behalf of Bill Elwell speaks to the board and guests. He explains that this is a 3 lot minor subdivision of one parcel of land on and existing road.

Larissa Crockett expresses concern that these lots can be further divided. The board explains that they can not be divided if it is put in the conditions of approval.

Peter Baldry shares that he would like to see a 120 foot setback from the road, that no modular or mobile homes be put on these lots and the houses have a minimum square footage of 2,000sq ft.

Pat recognizes Mr. Baldry's wishes but reminds Mr. Baldry that the cost of a 2,000sq ft home can be quite expensive. Also the setback from the road is written in town ordinance at 75 feet, he will discuss the possibility of the 120 feet with the owner, but the land will determine for sure. If blasting will be necessary at 120 feet to build the house, then it will not be cost effective to do so. He encourages Mr. Baldry to come and talk with the property owner whenever he is there as both he and Mr. Elwell are open to working with abutters as much as they can.

Larissa believes that these requests are within reason to protect the natural beauty of the area. She refers back to the findings of fact read for the previous application to section "I". ***Will not had an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rand and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;***

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You must be allowed to make a profit, which will certainly be the case by allowing the division of land, the law doesn't state how much of a pr

Keith explains that the town has zoning ordinances to address these issues. The minimum house size is 400 sq ft and setbacks in that zone are road, the board can only enforce the ordinance and can not put additional zoning on the property. A scenic view is subjective.

Tom tells Larissa that these things are in the zoning and the board can not further restrict this zoning without valid reason, such as vernal pools protected areas on the land. Of which is not on this land. He recommends that Mr. Baldry speak with the property owner and see what he is wi address his concerns.

Findings of Fact are read:

A: will not	F. Yes, private septic	L. N/A
B yes	G. will not	M. N/A
C. will not	I. will not	N. not in flood zone
D. will not	J. Yes	
E. will not	K. n/a- no road	

Tom motions to approve the subdivision as presented; seconded with conditions

Conditions of approval:

- 1) No further division of this property
- 2) Road Commissioner will pick the location of driveways

Subdivision approved with conditions.

Larissa Crockett asks what will take place at the Public Hearing on the 18th. Chip explains that it is an initial hearing for the public to express concerns. The board will not be making a decision at this meeting. This is just a step in the process of review. After the hearing there are 75 d has to deliberate on this unless it is mutually agreed upon with the applicant to extend the time line for whatever reasons.

Tom explains that even with Town approval, the applicant then has to go through State approval. The town and the state both have to say yes f does not over ride the other.

Tom addresses the board with concern that the scale on the plans for Hannon. He also reads a note on the plans drawn up by Weston and Samr was derived from existing plans. Tom questions as to whether they actually visited the site.

Michelle explained that Pat would be bringing by the boundary survey with all corners later this week.

Meeting adjourned 9:15pm