

ACTON PLANNING BOARD MEETING
OCTOBER 2, 2008

A. **ROLL CALL** – 7:00

Members present were: Chip Vennell – Chairman
 Randy Goodwin
 Yoli Gallagher
 Keith Davis – Alternate
 Larissa Crockett - Alternate

Members absent were: Thomas Cashin – Vice Chairman
 James Fiske

Others present were Kenneth Paul, Code Enforcement Officer and John Moore.

B. **MINUTES**

August 21, 2008 – A Motion was made and seconded to approve the Minutes of the August 21, 2008 Meeting as submitted. Gallagher/Crockett – Unanimous.

September 18, 2008 - A Motion was made and seconded to approve the Minutes of the September 18, 2008 Meeting as submitted. Goodwin/Davis – 3/2 Abstentions (Ms Gallagher and Ms Crockett as they were not present for that Meeting).

C. **UNFINISHED BUSINESS**

1. **William Pallidino – Amendment to Conditional Use Permit for Wild Willey’s Ale Room** – Mr. Pallidino was not present this evening, therefore, no action was taken on his request for an amendment to his existing Conditional Use Permit for Wild Willey’s Ale Room.

2. **Helene Leighton – 9 Thrush Road (M126/L16) – Best Possible Site Application** – Patti Sleeper, the prospective purchaser of the property, was present to answer any questions the Board may have.

Mr. Davis gave a report of what he saw on the site walk. He mentioned that there were three Board Members present and it was their consensus that the proposed structure cannot be placed any farther to the rear than is indicated on the sketch plan the Board has seen. He indicated the location of the flat area of the property.

Kenneth Paul, the Code Enforcement Officer, advised that the structure can be setback 50’ which is greater than the 39’ it is currently.

Patti Sleeper, the prospective purchaser of the property, pointed out that while the structure would have a 50’ setback in one area, it will be further back in other areas. To a comment about the possible removal of one of the power lines on the property, Ms Sleeper advised that is not feasible.

Mr. Davis suggested there be a note on the plan that the 3.18 acres cannot be further subdivided and thereafter, the Board reviewed the site plan for the location of the road.

Mr. Paul mentioned that either Thrush Road or Shoreland ----- can be used as frontage.

A Motion was made and seconded to accept the Code Enforcement Officer’s recommendation for the best possible location for Helene Leighton’s property on 9 Thrush Road with the condition that there will be a note that the property cannot be further subdivided. Davis/Gallagher – Unanimous.

2. **Patrick Frasier – Grace Way Subdivision Application** – Mr. Frasier represents the potential purchaser of the property in this matter. He submitted a new plan for the Board’s review. He advised that considering the size of the property, 153 acres, the two proposed lots can be located anywhere the Board feels would be appropriate. He mentioned there are some wet areas on the

site as some of the property is located in the Resource Protection, therefore, reclamation would have to be done if the lot were to be developed any further. He explained that only two three acre lots will be divided from the larger parcel and they have no problem with the Board determining the location of the dwellings. He stated that the previous owner of the property sold this portion from a larger parcel, but didn't convey sufficient road frontage on Milton Mills Road which is why there is a need for a new road.

To Mr. Vennell's concern about the odd shape of the lots, Mr. Frasier explained the reason for the shapes.

To a question concerning the status of the review process, Mr. Davis mentioned that the Board has reviewed some of the pertinent standards, therefore, it is beyond the sketch plan stage.

It was determined that the applicable standards to be addressed are contained on pages 16, 17, 18, 19, 20 and 60 of the Subdivision Regulations. After a review of page 25 of that document which contained the list of waivers that can be granted by the Board, it was found that the only items that can be waived for this application are the hydrogeologic survey and the granite monuments.

At this time, there was a brief discussion regarding whether the requirement of a boundary survey is for the entire 153 acre parcel or just the two lots that will be developed. It was suggested that Mr. Frasier clarify this requirement with SMRPC during that agency's review of the plan. The Board indicated where they

would like to see the new lines drawn on the plan being reviewed and advised Mr.

Frasier that until all the required information is submitted, they can't schedule a public hearing. They gave Mr. Frasier authority to contact SMRPC for its usual review of subdivision applications for the Town.

3. **Patrick Hannon – Application for a Conditional Use Permit for a Transfer Station** – Mr. Paul gave the Board a letter dated September 19, 2008 from Mr. Hannon which indicated that he is withdrawing his application for a Conditional Use Permit for the construction of a transfer station.

A Motion was made and seconded to accept the withdrawal of Patrick Hannon dated September 19, 2008 of his pending application for a Conditional Use Permit for a transfer station. Goodwin/Davis – Unanimous.

D. **NEW BUSINESS**

Mark Hill – 1058 Westshore Drive (M123/L28) – Best Possible Location Application – Mr. Paul submitted an application and plan for Mark Hill for a "Best Possible Location" review. He indicated his recommendation for the structure on the plan to the Board and mentioned that the new construction will be 30' from the water where the existing structure is only 21'. He advised there will be a new septic system and well which will be farther away from the abutter than they are at this time. He said after looking at the site, he would recommend the 30' setback.

A Motion was made and seconded to accept the Code Enforcement Officer's recommendation of a 30' setback from the water for Mark Hill. Davis/Crockett – Unanimous.

E. **ADJOURNMENT**

A Motion was made and seconded to adjourn the Meeting at 8:15 PM. Goodwin/Davis – Unanimous.

Respectfully submitted,

ANNA M. WILLIAMS,

Recording Secretary