

ACTON PLANNING BOARD MEETING
DECEMBER 18, 2008

A. **ROLL CALL** – 7:00

Members present were: Chip Venell – Chairman
 Thomas Cashin – Vice Chairman
 Yoli Gallagher
 Keith Davis – 1st Alternate
 Larissa Crockett – 2nd Alternate

Members absent were: Randy Goodwin
 James Fiske

Also present was Jamie Oman-Saltmarsh from SMRPC.

B. **MINUTES**

December 4, 2008 - A Motion was made and seconded to approve the Minutes of the December 4, 2008 Meeting as corrected. Davis/Gallagher – 4/1 – Abstention (Mr. Cashin as he wasn't present for that Meeting).

C. **UNFINISHED BUSINESS**

There was no unfinished business to come before the Board.

D. **NEW BUSINESS**

Digitized Maps and Overlays – Jamie Oman-Saltmarsh from SMRPC gave a

Power Point presentation of the new digitized maps and accompanying overlays of the Shoreland Zoning and Resource Protection Districts recently drafted by the DEP. She explained that her agency is currently working with the Comprehensive Plan Implementation Committee on updating the Town's Shoreland Zoning and Resource Protection areas as per the DEP's recent amendments which were very extensive and are the biggest changes done in the past 10 years. She mentioned for communities that don't currently have Shoreland Zoning and Resource Protection provisions in their zoning ordinance, they will be required to either adopt what the DEP has done or revise the provisions to meet their communities needs. She explained that there have been many changes to some items such as the depth of the buffer areas which have remained as they have been in the past. She said, for the most part, the revisions will affect the Code Enforcement Officer's review of the plans and proposals he reviews. She referenced the hard copies of the maps that she invited everyone to look at. At this time, she made the presentation explaining the following portions of the maps and overlays and giving whatever explanations were required:

1. The DEP is requesting that the communities use the overlays of the roads, town boundaries, developed slope areas, to identify rivers 10 acres or more, streams, wetlands and buffers within the Shoreland Zone and Resource Protection District as they are more detailed than anything that has been available in the past.
2. Bodies of water less than 10 acres are not included on the maps and overlays which means that there could well be other wetlands, etc. in a community that aren't identified by the DEP.
3. The Shoreland Zone includes rivers, streams and wetlands, therefore, the buffer from those areas must meet either DEP's recommended setbacks or a community can specify a larger buffer, but it cannot be less than the DEP's.
4. The Resource Protection Districts are the most restrictive and there are four different Resource Protection areas in which no dwellings can be constructed.

5. With the newest technology available today, these maps and overlays are much more specific than they were in the past.
6. While the maps and overlays do not indicate the smaller wetlands, streams or rivers that exist on the face of the earth, the text of the revised Shoreland Zoning and Resource Protection District specify those areas.
7. There are many slopes 20% or greater in Acton and while they weren't able to be identified on any maps or overlays prior to this, they can now be seen on the new maps and overlays. Those slopes are mostly located in the Resource Protection District and don't have a lot of development in them.
8. Should there be existing dwellings in a Resource Protection District, they are grandfathered from the new requirements if they don't meet them.
9. Unless a municipality's Code Enforcement Officer is aware of the location of the 20% or greater slopes in a town, those areas can become developed.
10. The areas that have been developed are identified on the maps and overlays and if Acton wishes, it can remove those areas from the Resource Protection District, but if the Town wants to protect those areas, it will not do that.
11. The areas designated as being part of the Inland Waterfowl & Wading Bird habitat areas have also been revised because they can now be identified while that wasn't possible in the past.
12. Those areas are generally ten acres or more with substantial waterfowl and wading species.
13. Since it is now possible to identify the specific areas, some of what was considered either Shoreland Zoning, Resource Protection, rivers and streams greater than 10 acres and the other designations that were generally used in the past may now be excluded from those designations because they can be seen more clearly now.
14. Ms Saltmarsh explained what the various colors on the maps and overlays represent and mentioned any area that is not colored doesn't have a ranking.
15. The buffers indicated on the maps and overlays are the DEP's minimum guidelines, but the communities have the option of increasing them in any of the Shoreland Zoning or Resource Protection Districts they feel should be protected further.
16. Should a community wish to keep the designations given to an area under the prior requirements set by the DEP it can do so.

Ms Saltmarsh continued to explain the various points that now can be seen on the new maps and overlays that were not visible prior to this time.

Mr. Cashin, who had facilitated this presentation, advised the reason he invited the members of the Moussam Lake Association was to generate support for the areas reviewed this evening. He stated if the CPIC and the Planning Board decide that the adoption of the provisions of the DEP's Shoreland Zoning and Resource Protection Districts is appropriate for Acton, they will need the support of the community at the Annual Town Meeting. He stated that anything the people present this evening can do to stimulate discussion and support for these revisions would be very helpful. He asked Ms Saltmarsh if she could contact the Code Enforcement Officer to schedule a time for him to review the same presentation as its contents directly affect his review of the plans and proposals that come before him for approval.

Ms Saltmarsh stated that she would be happy to share the PDF file containing the maps and overlays with anyone who is interested in receiving them. She advised that the CPIC would like the Planning Board's input so that she can develop a Shoreland Zoning and Resource Protection District map to bring to the public hearing that is required prior to the revisions being put to the voters at the Annual Town Meeting. She advised that she will produce hard copies of the new

maps and overlays so that the CPIC and the Planning Board can review them and make their decisions.

At this time, there was a brief discussion regarding implementing the buffers designated in the Shoreland Zoning and Resource Protect Districts and the ramifications to property owners if that is done, especially in the area where there are small camps that could be joined to create larger lots.

Mr. Cashin thanked all present for coming this evening, especially Ms Saltmarsh for her time and effort.

E. **OTHER BUSINESS**

There was no other business to come before the Board.

F. **ADJOURNMENT**

The Meeting was adjourned at 9:00 PM.

Respectfully submitted,

ANNA M.

Recording Secretary

WILLIAMS,

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