

ACTON PLANNING BOARD MEETING

September 3, 2009

A. ROLL CALL – 7:00

Members present were: Chip Venell – Chairman Yoli Gallagher
Keith Davis Jessica Donnell – 1st Alternate

(Voting in place of Mr.

Cashin)

Members absent were: Thomas Cashin – Vice Chairman
Randy Goodwin David Jones-

2nd Alternate

Also present were Kenneth Paul, Code Enforcement Officer and Elise Miller.

B. MINUTES

August 29, 2009 – A Motion was made and seconded to approve the Minutes of the August 29, 2009 Meeting as submitted. Gallagher/Donnell – 3-1 Abstention (Mr. Davis as he wasn't present for the Meeting).

C. UNFINISHED BUSINESS

Elise Miller – 3191 Route 109 –M138/L2 - Conditional Use Permit for a Child Care Facility – Mr. Venell gave a brief overview of the applicant's request and read the State's comments as submitted by Ms Miller.

Ms Miller explained that the Fire Marshal inspected the dwelling in which the child care facility will be located and approved a permit for six children a day. She mentioned that the water test was approved as well. She stated that she would like to revise her pre-school request to a family day care which would take her request out of the nursery school category. She said that the proposed hours of operation will be from 7:30 AM to 1:30 PM. She mentioned that the State is requiring some type of safety fence around the wood stove, but there is no requirement for a fence outside the dwelling. She explained that she will receive her State license after she has taken an orientation class in Sanford. She mentioned that the State representative made a house inspection and was there for three hours. She stated that while the property is in the Shoreland Zone, the dwelling is approximately 250' from the river, therefore, there is a good deal of land between the house and the river. She said there will be no problem with traffic when compared to the other uses on that road.

To Mr. Venell's comment that the Town doesn't have a problem with what the use is called, but the State may, Mr. Paul explained that it was his understanding that the Board had determined this use fell under the "child day care" facility definition which is permitted in a private home in that zoning district.

To Mr. Venell's comment that while he is not concerned with the submission of a perimeter survey, a copy of the deed to the property is necessary, Ms Miller gave him a copy for the file as well as a drawing of the interior of the dwelling which indicated the areas that will be used for the child day care facility portion of the house.

It was Mr. Venell's opinion that all the necessary documentation appears to have been submitted, therefore, the Board can conduct a public hearing on Thursday, October 1, 2009, on this application.

D. NEW BUSINESS - There was no new business to come before the Board.

E. OTHER BUSINESS

Proposed Zoning Ordinance Amendments Public Hearing – Mr. Venell gave a brief overview of the proposed zoning amendments that are being proposed by the Code Enforcement Officer as well as the Comprehensive Plan Implementation Committee and the decision of the Board of Selectmen not to include the CPIC’s proposed revisions on the November, 2009 referendum ballot. He mentioned that the Board of Selectmen have asked the Code Enforcement Officer to submit whatever revisions he feel are necessary which will be what the residents will vote for in November, 2009. He said given that this Board is required to conduct a public hearing 30 days prior to the vote, he would recommend that the Board conduct a public hearing on Thursday, September 24, 2009, since the required time line does not fit into the regular Meeting schedule. Mr. Paul gave a brief description of the revisions he is proposing to the amendments that were adopted in 2008 with regard to lots of record for residential use.

F. ADJOURNMENT

The Meeting was adjourned at 7:40 PM.

Respectfully submitted,

ANNA M. WILLIAMS,
Recording Secretary