

## **ACTON PLANNING BOARD PUBLIC MEETING**

**DATE** April 19, 2011

**ROLL CALL** – Meeting began at 7: 21 pm

Members present were:        Thomas Cashin – Vice Chairman  
   Jessica Donnell  
   Yoli Gallagher  
   Arthur Kelly  
   Robert Smith – Alternate  
   Gavin Maloney – Alternate

Members absent were: Chip Venell – Chairman

Also present were:    Kenneth Paul, Code Enforcement Office

**MINUTES** – **Approval of March 22, 2012 minutes.** Motion to accept by Yoli Gallagher, seconded by Jessica Donnell , after discussion minors changes in wording were requested by Tom Cashin

**April 5, 2012 minutes were not available.**

**CEO BUSINESS** - **Best Possible Location** - Kelli L. Demakis Lessard and James M. Lessard, 140 Foss Road – GE Lake – Map 17 Lot 52 - Demo Old Camp-Replace w/New Structure plus 30% and Full Foundation. The site is steep from lake to parking area. Ken suggested moving the 249 sq. foot home back 20 feet further from the water. The septic will be pumped uphill. Art Kelly asked about the reliability of the pump system. Ken said it varies. Some fail early but most last about 15 years. This system will grind material before pumping it. Water will be pumped from the lake. The final square footage will be 340 square feet and add 91 sq. ft. of impervious surface to the site. Although a few trees will be cut they will be replaced below the cottage forming further buffer to the water. They will be referred to Joe Anderson for further advice on shore land protection and storm water management techniques.

Discussion revolved around issues specific to the site, particularly it's steep slope, and some of the broader issues involved with storm-water management techniques and determining the placement of structures on a non-conforming site. Ultimately it was decided that a site-walk would be useful to better understand the conditions of the site. Gaven Maloney made the motion to have a site-walk, Yoli Gallegher seconded, and it was decided to meet and car-pool from the Town Hall, Monday, May 7<sup>th</sup> at 6:00 pm. The CEO suggested that the

Board might want to consider establishing a regular monthly schedule for future BPL site-walks that will potentially be required.

Board members wanted to know if the structure could be moved further back to the road. Ken Paul explained there really are not any other options for relocating the camp. The slope is even steeper further up the hill. It will cause problems stepping out. The actual road area is fuzzy. It's really an easement across the neighbor's property. They need to keep the road setback of 50 ft. because they will not be able to get a variance. This leaves the house 45 ft. from the water, 20 feet further back than it is now.

A number of Board members wanted to know why maintaining the road set back seems to be favored over trying to reach the water set back. On this particular proposal it only means a difference of five feet. Ken explained, in general, the first issue is the location of the septic. Most non-conforming sites are too shallow to accommodate the set backs in both directions. In many cases the "roads" are no more than easements across somebody else's property. Boundaries are not clear making it important to make sure there is adequate distance. When considering a BPL the homeowner would prefer to be as close to the water as possible but they are amenable to moving the structure back when the advantage of being able to have a space to entertain and focus on the lake front as well as to provide a buffer for run-off are explained. He further explained most people have adapted to the idea of erosion control getting rid of lawns and beaches. When asked about the use of specific techniques, like drip line trenches, for storm-water management that might be used at this site. Ken explained that specific LID's are implemented once the client has been sent to someone like Joe Anderson at YCSW or another professional. On this specific site a few trees will have to be cut to relocate the structure. They would be cut even if the structure were not moved because they are directly behind it and will constitute a hazard. These cut trees will be replaced with trees in front that will help buffer water flow toward the lake. When asked if our ordinance had any constraint building on such steep slopes in the shore land zone and if Ken thought this site was okay, he said it was. The soil is perfect gravel and the forest is mature with deep stable duff. There has been no cutting in a long time.

**NEW BUSINESS** –

**UNFINISHED BUSINESS** –

**ADJOURNED** – 8:45 pm