

# **ACTON PLANNING BOARD**

## **Meeting Minutes**

**DATE:** October 16, 2014 (approved November 6, 2014)

**ROLL CALL:**

Members present: Chip Venell – Chairman  
Tom Cashin – Vice Chairman  
Jessica Donnell  
Yoli Gallagher  
Arthur Kelly  
Gavin Maloney – Alternate  
Robert Smith – Alternate

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia DeBoer, Video Recorder; John Hutchins, Corner Post Land Surveying; Donald Craigie, Robert Taylor, Brad Gauthier, Ronald Dougherty, Elaine Dougherty

**Public Hearing to review the proposed Preliminary Plan for 12<sup>th</sup> Street Acres Subdivision, Route 109 and 12<sup>th</sup> Street, Map 147, Lot 002 submitted by Ash Cove Construction, Inc.:**

John Hutchins from Corner Post Surveying presented the proposed Preliminary Plan and explained how the plan addresses minimizing stormwater runoff.

Donald Craigie asked about access to the Commercial portion of the subdivision. The Chairman stated that use of that lot is still undetermined at this point.

Mr. Cragie also inquired about the road easement, #12 on the plan, and Mr. Hutchins explained that #12 will be modified to state that the easement will be used as a drainage easement.

Ron Dougherty asked about the Town accepting 12<sup>th</sup> Street as a town road. The Chairman explained that there is a process to do that but it is not within the control of the Planning Board.

Mr. Dougherty also inquired about the right of way to the lake. Mr. Hutchins explained that creating more than the one right of way that currently exists would go against the Town Ordinance. However, the one existing right of way could be retained with any one of the four lots.

Brad Gauthier asked about the retention area, whether it is intended to hold water or control run off. Mr. Hutchins responded that it is designed to retain water until it seeps into the ground.

Mr. Hutchins stated that the engineered plan has determined that there will be no additional stormwater runoff with the completion of the subdivision. Concern was expressed that addressing the residential lots without taking the commercial lot into consideration could create problems.

Elaine Dougherty requested that the Board consider how the actual construction process will affect the 12<sup>th</sup> Street roadway and require that the road be inspected every spring and every fall throughout the process instead of at final development of the last lot, which could take years to complete. She also requested that the Association Road Commissioner be included in the inspections.

Tom Cashin asked why the easement changed from a road easement on the plan submitted in October to a drainage easement on the current plan. Mr. Hutchins explained that the change was to ensure that the road could not be expanded and create a negative affect on drainage. Abutting property owners will be responsible for the maintenance. The comment was made that designating this area as a drainage easement prevents the road from ever meeting criteria to become an accepted town road.

Hearing no further questions nor discussion, the Chairman convened the Planning Board Meeting at 7:52 p.m.

Board Members agreed that all of the mandatory submissions outlined in Article 7, Final Plan Application of the Town of Acton Subdivision Regulations have been met. Planning Board Members requested that the following changes be made to the plan pending acceptance:

- Item #12 - modified to designate the easement to be for drainage;
- Item #22 - address on-site fire detection;
- Item #23 - address the removal of clearing and building debris off site;
- Item #24 - state that prior to issuance of a Certificate of Occupancy for each dwelling unit, the Road Commissioner and a Road Association representative will inspect and determine if the road is in its original condition and notify the Code Enforcement Office.

Determination of Findings of Fact:

- a) The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat: not applicable
- b) The use will conserve shore cover and visual, as well as actual, access to water bodies: not applicable
- c) The use is consistent with the Comprehensive Plan: yes
- d) Traffic access to the site meets the standards contained in this Ordinance; and traffic congestion has been addressed in accordance with performance standards in this Ordinance: yes
- e) The site design is in conformance with all municipal flood hazard protection regulations: not applicable
- f) Adequate provision for the disposal of all wastewater and solid waste has been made: yes
- g) Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made: not applicable
- h) A storm water drainage system capable of handling a twenty five (25) year storm, without adverse impact on adjacent properties has been designed: yes
- i) Adequate provisions to control soil erosion and sedimentation have been made: yes
- j) There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes: yes
- k) The provisions for buffer strips and on-site landscaping provide adequate protection to neighboring properties from detrimental features of the development, such as noise, glare, fumes, dust, odor, and the like: yes
- l) All performance standards in this Ordinance, applicable to the proposed use will be met: yes
- m) Archeological and historic resources, as designated in the Comprehensive Plan, will be protected: not applicable

Motion made by Mr. Cashin and seconded by Mr. Kelly to accept the 12<sup>th</sup> Street Acres Subdivision Plan contingent upon the changes to Items #12, 22, 23, 24. The motion passed unanimously.

**October 16, 2014 Minutes:** Motion by Ms. Donnell, seconded by Mr. Cashin to accept the minutes as written. The motion passed unanimously.

**New Business:** Board members discussed the email from Daniel Weeks dated 10/02/2014 regarding the affect of Resource Protection on his house lot on Great East Lake. Board Members agreed to review Resource Protection at the November 20<sup>th</sup> meeting. The CEO will provide an outline of proposed changes at the meeting of November 6<sup>th</sup>.

**Old Business:** Proposed Stormwater Management Amendment - Board Members will continue to review the proposed amendments at the meeting of November 6, 2014.

**Adjournment:** The meeting adjourned at 8:50 p.m.