

# ACTON PLANNING BOARD

## Meeting Minutes

**DATE:** November 6, 2014 (approved November 20, 2014)

**ROLL CALL:**

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

Members absent: Chip Venell – Chairman (excused)

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia DeBoer, Video Recorder; John Hutchins, Corner Post Land Surveying; Dale Barrows; Tom Gore; Estelle Gore; Richard Neal

The meeting was called to order at 7:03 p.m. by Vice Chairman, Tom Cashin. Mr. Cashin stated that Agenda Item #3 would be taken out of order:

**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.:** Board Members reviewed the changes identified at the meeting of October 16, 2014:

- 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.

Upon determination that all these changes appear on the plan and with the understanding that all top soil remain on site throughout the development, Planning Board Members signed the Final Plan for this project.

**New Business:**

**“Little Red Schoolhouse” Damage, 630 Youngs Ridge Road, Map 130, Lot 003:** Dale Barrows, owner of the property, outlined the history and the significance of the landmark and requested that she be allowed to repair the damage to the building resulting in a recent automobile accident without moving the structure. Tom Gore, Estelle Gore, and Richard Neal supported Ms. Barrows’ request.

Mr. Paul explained that the code requires that when a non-conforming structure is improved more than 50% of its assessed value, the Planning Board must determine the best possible location. He also stated that if the Planning Board votes not to adhere to the code, the town could be exposed to possible future liability responsibility in the event of another accident.

Motion by Mr. Cashin, seconded by Ms. Gallagher to request that the Town’s attorney review this issue to determine if there is an alternative to moving the structure or a way to indemnify the town from possible liability if the structure is repaired in place and another accident should occur.

Motion passed unanimously.

**Approval of the October 16, 2014 Minutes:** Motion by Mr. Smith, seconded by Mr. Maloney to accept the minutes as written. Mr. Smith noted that consensus of Board Members was that all top soil remain on the site through the development of the 12<sup>th</sup> Street Acres Subdivision and requested that this stipulation be included in the minutes. The motion passed unanimously.

**Old Business:**

- Proposed Stormwater Management Amendment - Mr. Cashin requested that Board Members be prepared to discuss how to proceed with reviewing the Proposed Stormwater Management Amendments without the expectation of meeting the Selectmen's deadline to be included on the Warrant for this year's Town Meeting.

**Distribution:**

- Proposed changes to the Ordinance relative to Resource Protection

**Adjournment:** The meeting adjourned at 8:35 p.m.