

ACTON PLANNING BOARD

Meeting Minutes

DATE: February 5, 2015 (approved 2/19/2015)

ROLL CALL:

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

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia DeBoer, Video Recorder; Tom Gore, Dale Barrows, Robin Ham, Scott Matthews, Tyler Matthews

Approval of the Minutes of the Meeting of January 15, 2015: The motion was made by Ms. Gallagher and seconded by Mr. Kelly to accept the minutes as written. The motion passed unanimously.

New Business:

Barrow's School House / Lane Use Ordinance Proposed Revision submitted by Tom Gore: Mr. Gore requested that the Planning Board members vote to initiate the inclusion of a proposed amendment to the Town Ordinance on the Annual Town Meeting warrant, specifically:

Proposed amendment to Article 1.4.11.3: Insert the following at the end of the article:

Exception: Historic structures, as defined in this ordinance and which are not within the Shoreland zone, are exempted from the setback requirements of this article provided that:

1. The use of the structure after reconstruction or replacement is not altered from the use of the structure prior to the reconstruction or replacement.
2. The architecture of the structure is not altered substantially.
3. The structure is reconstructed or replaced in its original location.

Proposed amendment to Article 3.2 (pg 21 of the ordinance): Insert the following definition on page 21:

Historic Structures – Structures designated as historically significant by an act of the Town meeting, or structures designated as historically significant by the Acton-Shapleigh Historical Society, subject to the approval of the Acton Planning Board.

The Chairman reminded Board Members that any amendment to the ordinance may be initiated in one of four ways:

1. Majority vote of the Planning Board;
2. The Board of Selectmen;
3. An individual, through a request to the Planning board who then may initiate only by a majority vote; or
4. A written petition of a number of the voters equal to at least ten percent (10%) of the vote cast in the last gubernatorial election.

After discussion, consensus of the Board was to table this request to be considered at the regular meeting scheduled for February 19, 2015.

- **Best Practical Location Applications:**

- Cait Ni Chleirigh, 724 West Shore Road, Map 125, Lot 018, requesting to relocate the structure, which is currently 9 feet from the shoreline, to a location 42 feet from the shoreline on a new foundation with an addition. Based on the fact that the request improves the present situation, motion made by Tom Cashin, seconded by Yoli Gallagher, to approve the application with the condition that a stormwater mitigation plan be devised and that the area where the structure is presently located be revegetated. The motion passed unanimously.
- Michael Callum, 99 New Bridge Road, Map 132, Lot 003, applying to construct a full foundation under the existing structure, which is currently 43 feet from the edge of the water. Motion made by Mr. Kelly, seconded by Ms. Donnell to approve the application with the following conditions:
 - a. the structure be relocated 20 feet closer to the right of way;
 - b. obtain a notarized letter from the abutter who uses the right of way expressing agreement with the relocation of the structure;
 - c. a stormwater mitigation / erosion control plan be devised.

The motion passed unanimously.

- **Workshop with Selectmen**, February 19th regarding the Selectmen's Proposed Changes to the Ordinance: The Chairman noted that the Selectmen's proposal differs from the Planning Board's proposal in that the resource protection buffer within the Shoreland District could be considered for conditional permit approval for building instead of just that Resource Protection buffer outside of the Shoreland District.

Old Business: none

Adjournment: The meeting adjourned at 8:40 p.m.