

ACTON PLANNING BOARD

Meeting Minutes

DATE: September 3, 2015 (approved October 1, 2015)

ROLL CALL:

Members Present: Bob Smith - Chairman
Tom Cashin – Vice Chairman
Jessica Donnell
Yoli Gallagher
Gavin Maloney – Alternate
Walter Scott - Alternate

Members Absent: Art Kelly

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia DeBoer, Video Recorder; Chip Venell, Liaison; Joe Stanley, Line Pro Surveying; John Hutchins; Bill Plante, Charles Plant and Sons Excavating; Paul Poyant; William Williams; Jeanne Achilles; Linda Schier

The Chairman convened the meeting at 7:01 p.m.

Approval of Minutes, August 20, 2015: Motion by Mr. Scott, seconded by Mr. Cashin, to approve the minutes as written. Motion passed 5-0. The Chairman stated that the list of Workshop Notes dated 8/20/2015 will be an addendum to the minutes.

Old Business: Joe Stanley distributed updated maps indicating minor changes stating that the applicant hopes to move the driveway for Lot #1 away from the wet area, suggesting that the access be moved to Nason Road. Chip Venell pointed out that the Cluster Division regulations states that no vehicular access to an interior lot can be made from an established road existing at the time of development. Mr. Paul stated that while this is not an item to be considered for waiver, it is only common sense to consider the change of access. Consensus of the Members was that this is a reasonable request and that the access modification should be left on the maps for SMRPC to review and advise. Mr. Stanley noted that Lot #1 and 10 would not be responsible for Road Association maintenance fees if the change was made. Motion by Mr. Maloney, seconded by Mr. Cashin, to refer this request to SMRPC. Motion carried 4-0-1 (Ms. Gallagher abstained because she was not present for all the discussion).

Ken Paul requested that test pit data and rough septic and well locations be provided; also the detention pond design and cross section of the road.

Mr. Stanley submitted a list of requested waivers:

- High-intensity Soil Survey: Motion by Skip Scott, seconded by Tom Cashin, to grant the waiver pending SMRPC review. Motion passed 5-0.
- Hydrogeologic Assessment Survey: Motion by Tom Cashin, seconded by Gavin Maloney, to grant the waiver pending SMRPC review. Motion passed 5-0.
- Trip Generation: Motion by Skip Scott, seconded by Yoli Gallagher, to grant the waiver. The motion passed 5-0.
- Traffic Impact Analysis: Motion by Tom Cashin, seconded by Skip Scott, to grant the waiver. The motion passed 5-0.

Bob Smith asked about where the forest access would be. Bill Plant responded that ten to fifteen feet could be removed from the right side of Lot #10 for access to the common land. Maps will be updated to reflect this change.

New Business:

- **SMRPC Presentation – Discussion of Findings of Fact:** The Chairman asked Ken Paul if Findings of Fact are documented when Conditional Use Permits are considered. Mr. Paul responded that courts are looking for more information as to what information decisions are based on and that most of that information will be reflected in the minutes. The Conditions of Approval document that is generated lists Findings of Fact. Subdivision Approval conditions and Findings of Fact are listed on the final Mylar that is recorded at the Registry of Deeds. The Standards outlined in Section 6.6.3.7 of the Zoning Ordinance are an example of Findings of Fact that the Planning Board uses when considering Conditional Use Applications.

Other:

- **Resource Protection Special Exceptions Amendments to the Ordinance:** The Chairman noted that a Special Town Meeting will be set by the Selectmen, probably in October, to consider the articles relative to Resource Protection.

Motion by Gavin Maloney, seconded by Tom Cashin, to hold an Informational Hearing at the Planning Board meeting scheduled for October 1. The motion passed 5-0.

Linda Schier offered to schedule an expert to attend the Informational Hearing to provide information and answer questions.

Mr. Poyant distributed a document, Proposed Town Warrant Handling of Zoning Section 4.2.2.6 Repeal, September 3, 2015, for Planning Board consideration.

Adjournment: the meeting adjourned at 8:54 p.m.