

# ACTON PLANNING BOARD

## Meeting Minutes

**DATE:** December 3, 2015 (**approved December 17, 2015**)

**ROLL CALL:**

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

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia DeBoer, Video Recorder; Dale Barrows, Tom Gore, William Williams

The Chairman convened the meeting at 7:00 p.m.

Approval of Minutes of November 19, 2015: Motion by Yoli Gallagher, seconded by Jess Donnell, to approve the minutes as written. The motion passed 5-0.

**New Business:**

- **Dale Borrows is applying to repair damage to the schoolhouse structure at 630 Youngs Ridge Road, Map 130, Lot 003:** Ken Paul reminded Board Members and the Applicant that the Ordinance requires that the building remains vacant. Mrs. Barrows stated that her intention is that the structure will always remain vacant and would not be used for storage. Mr. Paul also reported that the Town's Attorney expressed the opinion that the fact that the damage to the building happened before the Ordinance was amended has no bearing on approving the application.

Tom Cashin stated that he no longer has a conflict of interest relative to repairing the Schoolhouse. He stated that based on the criteria outlined in Section 3.2.a of the Zoning Ordinance, the structure is a significant example of the cultural, historic, architectural or related aspect of the heritage of the Town. Therefore, he made the motion to approve the conditional use as outlined in the permit application. The motion, seconded by Gavin Maloney, passed 5-0.

- **Review of Resource Protection Articles Approved at the Special Town Meeting, November 10, 2015:** Ken Paul noted that the Town Attorney advised the Board of Selectmen that based on the result of the vote on November 10<sup>th</sup>, both sections, 4.2.2.6a and 4.2.2.6b, are retained in the Ordinance. The State requires that when two conflicting sections are in effect, the more stringent shall be enforced, which in his opinion is the article written by the Planning Board, 4.2.2.6b .

The Chairman stated that there are three things that could be considered by the Planning Board:

- striking either of the two existing sections; or
- eliminating both sections reverting to the original Resource Protection criteria; or
- propose amending the previous section to address Resource Protection exceptions.

Mr. Paul reminded the Board Members that the Board of Selectmen requires that articles to be considered on the warrant of the Annual Town Meeting must be submitted to them by January 28<sup>th</sup>.

Motion by Tom Cashin to submit an article to repeal both sections 4.2.2.6a and b, reverting to the original language prior to the vote on June 9, 2015. The motion, seconded by Yoli Gallagher, passed 4-1.

The Chairman directed Board Members to be prepared to discuss if there is interest in the Planning Board submitting proposed Resource Protection exceptions for consideration at the Annual Town Meeting.

**Code Enforcement:** None

**Adjournment:** The meeting adjourned at 8:21 p.m.