

**ACTON PLANNING BOARD**  
**Meeting Minutes**

**DATE:** January 7, 2016 (approved February 4, 2016)

**ROLL CALL:**

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

Absent: Leslie Berlan, Alternate

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia DeBoer, Video Recorder; Paul Poyant

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

Approval of Minutes of December 17, 2015: Motion by Tom Cashin, seconded by Yoli Gallagher, to approve the minutes. The motion passed 5-0.

**New Business:** None

**Old Business:**

**Review of Resource Protection Articles Approved at the Special Town Meeting, November 10, 2015:** The Chairman referred to an email from the Board of Selectmen in which they state that while the deadline for submitting proposed amendments to the Board for inclusion on the Warrant for the Annual Town Meeting in June, they understand that the Planning Board is required to hold public hearings when amending the Ordinance. They agree to accept changes to the proposed article that come from discussion at those hearings.

In answer to Tom Cashin's question as to how many properties are affected by the changes to the Resource Protection Districts approved in September, 2011, Mr. Paul responded that he estimates approximately eighty-eight. However, many of those lots have enough acreage to build somewhere else on the property outside of the Resource Protection and the buffer areas, leaving approximately a dozen properties that would be considered "unbuildable".

Based on discussion, Mr. Paul observed that Board Members seem to be leaning towards offering the original 4.2.2.6 (b) section to voters on the Warrant in June. Paul Poyant stated that in conversation with many of the Town's voters after the vote in November, it's apparent that they don't want to revert to the original language that didn't allow Planning Board approval of special exceptions.

Motion by Tom Cashin, seconded by Jess Donnell, to revoke 4.2.2.6 (a). The motion passed 5-0,

The warrant article would read: *Do you favor revoking section 4.2.2.6 (a) of the Acton Zoning Ordinance?*

~~4.2.2.6 (a) – SPECIAL EXCEPTIONS – The Planning Board may approve a Conditional Use Permit for a single family residential structure and any accessory structures in the Resource Protection District, provided that the applicant demonstrates that all of the following conditions are met:~~

- ~~a. There is no location on the property, other than a location within the Resource Protection District, where the structure can be built;~~
- ~~b. The lot on which the structure is proposed was established and recorded in the York County Registry of Deeds before the adoption of the Resource Protection District (9/29/2011);~~
- ~~c. All proposed buildings, sewage disposal systems and other improvements are:
  - ~~1. Located on natural ground slopes of less than 20%; and~~
  - ~~2. Located outside of 75 feet, horizontal distance, of a stream or upland edge of a wetland;~~~~
- ~~d. The total ground-floor area of all principal and accessory structures within the Resource Protection Buffer is limited to a maximum of 1,500 square feet.~~

**4.2.2.6 (b) - SPECIAL EXCEPTIONS -** The Planning Board may approve a Conditional Use Permit for a single family residential structure and any accessory structures in the Resource Protection District, outside of the Shoreland Zone, provided that the applicant demonstrates that all of the following conditions are met:

- a. There is no location on the property, other than a location within the Resource Protection District, where the structure can be built;
- b. The lot on which the structure is proposed was established and recorded in the York County Registry of Deeds before the adoption of the Resource Protection District (9/29/2011);
- c. All proposed buildings, sewage disposal systems and other improvements are:
  - 1. Located on natural ground slopes of less than 20%; and
  - 2. Located outside of 75 feet, horizontal distance, of a stream or upland edge of a wetland;
- d. The total ground-floor area of all principal and accessory structures within the Resource Protection Buffer is limited to a maximum of 1,500 square feet.

**Code Enforcement:** None

**Adjournment:** The meeting adjourned at 8:15 p.m.