

Town of Acton Planning Board Meeting

Thursday, September 2, 2021 6:00pm

MEETING MINUTES

(Approved on 9/16/2021)

Members Present: Christopher Whitman, Chairman; Gavin Maloney, Vice-Chair; Patricia Pearson, John Qua, Bernard Broder

Alternate Member Present: Bevin Corbin

Also Present: Ashley Flynn, Jason Sevigny, William Plante, Joe Stanley

Call to Order: The Chairman opened the Planning Board Meeting at 6:05 pm.

Approval of Minutes: John Qua made a motion to approve the minutes of August 19th, 2021. Bernard Broder seconded the motion; All in favor- motion carried.

OLD Business

- **Whitetail Ridge Properties LLC;** Proposed 2 Lot Subdivisions; Map 251 Lot 008 Sub 001: The Chairman invited Joe Stanley of LinePro Land Surveying to approach the Board to discuss the Whitetail Ridge properties. Joe Stanley stated that since the last meeting, he has added a voluntary setback from the wetlands. He also has added a new condition #10 to the subdivision plan per the Board's request. It stated that there is to be no stump burial on-site they must be hauled off or ground up. Gavin Maloney presented the Subdivision Regulations 1.2 Statutory Review Criteria to the Board. He then asked about the driveways and if there were any requirements. Joe Stanley stated that the driveways are to be built to D.O.T's standards and that D.O.T will inspect them when the project is complete. **John Qua made a motion to approve the Whitetail Ridge subdivision located at Milton Mills Road Map 251 Lot 008 Sub 001. Before the Board voted, John Qua modified the motion to include a condition to keep all loam on site. Gavin Maloney seconded; All in favor- motion carried.** The final plans for Whitetail Ridge subdivision were submitted for the Board for final approval and completed plans were signed off on by the Board members.
- **Conditional Use Amendment / C.A Plante;** Proposing a building for maintenance/ storage purposes at this location. Map 230, Lot 006 on West Shore Drive: The Planning Board invited William Plante to approach the Board. William Plante discussed how he would like to build a 40x80' maintenance/ storage, the building is for company use only, not public. The primary goal of the building is to house the

mineral extraction equipment during winter and any other time when not in use. The building will also be used to maintain vehicles working in the pit in order to get out of the elements. John Qua asked William Plante why he didn't want to move the small room to the end of the building. William Plante responded that with the proposed location for the well and septic, it would be conflicting so he did not want to have to cross the entire building or yard to get to either of them. Also, to keep them close to the building in order to stay out of the extraction area. William Plante also mentioned that the leach field could go into the buffer zone where the trees are on the side of the lot. The Board discussed the 100' natural buffer around the property. William Plante would like to place the building 28' into the buffer zone with the Board's approval. The Chairman asked how close is the excavation going to get to the building in his gravel pit. William Plante answered mining stops 60' from the building. Patricia Pearson reviewed the Zoning Ordinance from page 56.

5.11.2 Buffering of Adjacent Uses – *The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use, and for the screening of mechanical equipment, service, and storage areas.*

Buffering must be designed to provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, evergreens, berms, rocks, boulders, mounds, or a combination thereof.

1) *A development must provide sufficient buffering when topographical or other barriers do not provide reasonable screening, and where there is a need to:*

a) *shield neighboring properties from any adverse external effect of the development, or*

b) *shield the development from the negative impacts of adjacent uses.*

The width of the buffer may vary, depending on the treatment of the area. Within densely built-up areas, a buffer with dense plantings, fencing, or changes in grade may be as little as five (5) feet in width. A buffer with moderate levels of planting should be ten (10) feet to fifteen (15) feet in width. In suburban and rural settings, the width of the vegetated buffer should be increased to a minimum of twenty-five (25) feet. Areas adjacent to service, loading, or storage areas should be screened by dense planting, berms, fencing, or a combination thereof with a width of a minimum of five (5) feet.

The Planning Board reviewed the notes on the plan. The Board would like to have a stormwater management plan added. William Plante explained that the water mostly runs into the pit and gets soaked in by the gravel. Gavin Maloney read out the conditional uses checklist for the Board.

4.3.2.2 Conditions of Permit: The proposed project does not:

- ✓ Unreasonably interfere with existing recreational and navigation uses, nor unreasonably alter scenic and aesthetic qualities;
- ✓ Unreasonably interfere with or harm the natural environs of any lake, pond, tributary stream, or river nor harm any fish or wildlife habitat;
- ✓ Cause unreasonable soil erosion nor lower the quality of any waters;
- ✓ Unreasonably alter the natural flow or storage capacity of any water body;
- ✓ Create or cause to be created unreasonable noise or traffic of any kind.

6.6.3 Conditional Use Permits:

N/A

6.6.3.3 Application Procedure:

- ✓ A signed application has been submitted;
- ✓ Plans presented for approval are drawn at a scale not smaller than one (1) inch equals fifty (50) feet;
 - The following information has been provided (unless waived by the Planning Board):
- ✓ The name / address of the applicant (or authorized agent w/ completed Letter of Authorization);
- ✓ the name of the proposed development;
- ✓ a copy of the deed or record of ownership;
- ✓ the assessor's map and lot number;
- ✓ total floor area of proposed buildings;
- ✓ ground coverage;
- ✓ location of each proposed building, structure, or addition;
 - ✓ dated, certified perimeter survey of the parcel showing reference points showing true north point, graphic scale; total acreage
 - ✓ The required fees have been collected;
- ✓ Independent consultants have been engaged, if necessary, to ensure compliance with all requirements of this Ordinance.

6.6.3.4 Review Procedure and Public Hearing;

- The Standards listed in Section 6.6.3.7 have been reviewed and found that:
 - a. The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat; Yes
 - b. The use will conserve shore cover and visual, as well as actual, access to water bodies; N/A
 - c. The use is consistent with the Comprehensive Plan; Yes
 - d. Traffic access to the site meets the standards contained in this Ordinance; and traffic congestion has been addressed in accordance with performance standards in this Ordinance; Yes
 - e. The site design is in conformance with all municipal flood hazard protection regulations; Yes
 - f. Adequate provision for the disposal of all wastewater and solid waste has been made; Yes
 - g. Adequate provision for the transportation, storage, and disposal of

any hazardous materials has been made; Yes

- h.** A storm water drainage system capable of handling a twenty-five (25) year storm without adverse impact on adjacent properties, has been designed;Will put on updated plan.
- i.** Adequate provisions to control soil erosion and sedimentation have been made;Will put on updated plan.
- j.** There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes; Yes
- k.** The provisions for buffer strips and on-site landscaping provide adequate protection to neighboring properties from detrimental features of the development, such as noise, glare, fumes, dust, odor, and the like; Yes
- l.** All performance standards in this Ordinance applicable to the proposed use will be met;..... Yes
- m.** Archeological and historic resources, as designated in the Comprehensive Plan, will be protected. N/A

 - ✓ A public hearing has been scheduled within thirty (30) days of acceptance of completed application.
 - ✓ Notification of the time, place, and subject matter of hearing has been made at least ten (10) days in advance on the Town Website and in a newspaper of general circulation in the area;
 - ✓ The Applicant and abutters within five hundred (500) have been notified by regular U.S. mail, first class, at least ten (10) days in advance of the hearing.
 - ✓ The Code Enforcement Officer and Municipal Officers have been notified.

The Planning Board will have a public hearing for C.A. Plante Conditional Use Amendment; Proposing to build a 40'x 80' structure in the pit location. Map 230, Lot 006 on Thursday, September 16, 2021 at 6 pm.

Patricia Pearson made a motion to approve that building location 97' setback from the center of the road. John Qua seconded. 4-1, motion carried (Gavin Maloney opposed)

Round Table Discission:

The Planning Board would like to start discussing; the different terms in the Zoning Ordinance that have conflicting verbiage. The Board would like to have a few sessions, other than meeting days to focus on the ordinance.

Bernard Broder made a motion to adjourn at 7:50 PM. John Qua seconded. All in favor. motion carried.