

Town of Acton Planning Board Meeting

Thursday January 6th, 2022 6:00pm

MEETING MINUTES

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

Alternate Member Present: Bevin Corbin

Also Present: Jason Sevigny, CEO, Ashley Flynn, Land Use Secretary, Jennifer Roux, Town Administrator, Keith McBride, NorthStar Planning, Seth McCoy, William Langley, Joseph Ruma, Ramiro Lopez

Call to Order: The Chairman opened the Planning Board Meeting at 6:04 pm.

Approval of Minutes: Gavin Maloney made a motion to table the minutes from December 2nd and the 16th until the next meeting. Bernard Broder second. All in favor, motion carried.

Discussion

- **Moratorium Review:**

The chairman opened the meeting with the Planning Board review on the proposed moratorium on mineral extraction pits. Gavin asked the Board if this moratorium was going to go in front of the town for a vote? The CEO answered saying, yes, it is. The Board went into a discussion about the traffic surrounding the Gravel Pits.

John Qua made a motion to approve this proposed moratorium on Mineral Extraction Pits as written in this final proposed draft. Bernard Broder second. (4-1 Gavin) Motion carried.

- **Round Table Discussion:** Zoning Ordinance definitions and proposed changes with NorthStar Planning.

Keith McBride from NorthStar Planning discussed with the Planning Board the Zoning Ordinance definition changes for Mixed Use. Mr. McBride explained that Mixed Use can be defined as two allowed uses for one building in the district or allowed districts on multiple buildings on site. The Planning Board took some time to review the information brought by Mr. McBride and asked for him to revise the definition with some of the suggestions made. Mr. McBride will email the CEO to pass along the revised version for the next meeting.

Bernard stated that he would like more time to review and get better acquainted with the Zoning Ordinance for the changes. He suggested that the Planning Board get a block of time to hold a workshop for a couple of hours to work on the changes. Mr. McBride agrees and believes that his suggestions in helping the Planning Board are the conversation starters for them to expand on the topic to better adopted into the ordinance.

Jennifer Roux, the Town Administrator, came to the Planning Board to tell them about the option of a public hearing for the Mineral Extraction Moratorium. Jennifer explained that Ordinances and Moratoria, once they go to Town Meeting, cannot make amendments during that meeting. The town's residents can vote for or against it. The only place for input from the residents would be a public hearing for the moratorium.

Patricia Pearson made a motion to hold a Public Hearing for the Moratorium, Bernard Border second. All in favor (5-0). Motion carried. Public Hearing for the Moratorium will be held on January 13th 2022 at 6pm.

The Planning Board and Mr. McBride continued onto the next Ordinance change; Contractor Yards. Definitions and Land Use Chart changes for a Contractor Yard would not be a Permitted Use, but a conditional use. Mr. McBride suggested to the Planning Board by including Contractor Yards as a Conditional Use and going through a permit process will help minimize the number of permits. Also, in keeping with the Good Neighbor Ordinance. The permit process would help to maintain buffers set for in the conditions. The Planning Board discussed the nuances of the Contractor Yard and how it would best fit into the current Zoning Ordinance.

The Planning Board started a discussion on Solar Panels. Mr. McBride explained to the board the size difference in which the solar panels are broken down into different categories.

- Accessory Solar Farm: Size of the solar array being smaller than 2 arcs.
- Medium Solar Farms: 2 acres covered by solar arrays.
- Large Solar Farms: 2 or more acres covered by solar arrays, but set to a higher standard.

The Board should consider looking into is the visibility standard of solar farms and how it distracts from the Town's natural beauty. Mr. McBride tells the Board the amount of water front that the Town of Acton possesses could cause an issue when viewing the natural beauty of the lakes. Most recreational people will not want to see the solar farms from the water. The visibility standard can become a difficult one to hold as a standard. In the summer months, you might not see the solar farm because of the full foliage compared to winter. Mr. McBride states that it is a discussion that the Board should have before adding in the visibility standard.

Gavin suggested changes to the Land Use Chart in the solar array area. The Planning Board went into a discussion looking further in the Land Use Chart. The Board will take some more time to review the information and discuss it at a later meeting.

OLD Business

- **Seth McCoy's Trucking & Excavating:** 2491 H Road; 207-001. Application for Conditional Use for stump and brush disposal, recycle and resale of mulch.

The chairman invited Mr. McCoy to approach the Planning Board, they started the conversion by reading the performance standards from the Zoning Ordinance. Then they moved to the check-off list from 6.6.3.4 from the conditional use standards. The Planning Board went through the list with Mr. McCoy. As the discussion moved forward in the check-off list, The Planning Board found that the pile of reclaimed asphalt that is in Mr. McCoy's pit doesn't follow the standards that are set by the Conditional Use Permit. The Planning Board put forth a motion.

Gavin Maloney made a motion that the asphalt on site be removed within the next three months period, as a condition of approval. John Qua second, (4-1) Patricia Pearson. Motion-carried.

The Planning Board and Mr. McCoy held more conversations about his conditions and added one for the grinding of his stumps. They came to an agreement that the grinding would be no more than 14 days total per year. The Planning Board also made note that with Mr. McCoy's intentions to sell erosion control mulch that the plan needs to be changed for reclamation purposes. The Board would like it to state that the stumps claimed from the site will be ground and utilized on-site. The Planning Board would like Mr. McCoy to keep the stumps from the construction site itself stay on-site and utilized for reclamation. Other stumps can be ground and sold. The Planning Board reiterates the conditions that want to be put forth. The CEO read them out for the record.

1. Erosion control mix surrounding the area of the pad for the stumps: surrounding the natural resource preventing any erosion.
2. Asphalt needs to be removed within three months.
3. Grinding will only happen twice per year of 14 days total not within Memorial Day and Labor Day: Notify Code Enforcement when grinding.

A question about invasive bugs came up in the discussion of the conditions and so the Board would like to look more the matter.

Gavin Maloney made a motion that we, the Board will contact an entomologist. Patricia Pearson second. All in favor (5-0) motion-carried.

The Board would like to see the changes and the new conditions on Mr. McCoy's plan for the next possible meeting Mr. McCoy can attended.

Gavin Maloney Made a motion to adjourn, John Qua second. All in favor, motion-carried.