

## ACTON PLANNING BOARD PUBLIC MEETING

**DATE** July 19, 2012

**ROLL CALL** – Meeting began at 7:03 pm

Members present were:       Chip Venell – Chairman  
                                      Thomas Cashin – Vice Chairman  
                                      Jessica Donnell  
                                      Arthur Kelly  
                                      Robert Smith – Alternate  
                                      Gavin Maloney – Alternate

Members absent were:       Yoli Gallagher

Also present were:     Ted Kryzak, Ed Walsh, Kenneth Paul and Linda Capristo

**MINUTES** – Ms. Donnell motioned to accept the **July 5, 2012 minutes** as written, seconded by Mr. Smith (alternate vote/Ms. Gallagher) – Unanimous Vote.

**NEW BUSINESS** –

1) Code Office – Best Possible Location – Howard Arnold – Map 106-12 – 2309 Acton Ridge Road

Mr. Paul explained that the Arnold camp is located right next to the dam on Acton Ridge Road and in the Saco River Corridor jurisdiction. Mr. Arnold has approved permits from both the D.E.P. and S.R.C.C. He would like to raise the camp and put a foundation under it with a new septic as there was no septic on file and/or undocumented. Mr. Paul said the septic will be gravity fed and has a pretreatment tank. He indicated there is no room to move the dwelling back any further as it is close to the road and will be tough enough to get the septic system in. It will be the same footprint with two new decks. If they were to move it toward the side it will too close to the dam. Mr. Cashin motioned to accept Mr. Paul's recommendation, Mr. Kelly seconded. – (Mr. Maloney, alternate vote/Ms. Gallagher) - Unanimous Vote.

2) D.E.P. Guidelines for Shoreland Zoning – Special Exception – Mr. Paul made copies for the Board of the Special Exceptions for the Resource Protection District from the D.E.P. Guidelines. He indicated this section of was not included in the Acton Zoning Ordinance and felt the Board may wish to discuss next meeting. Mr. Venell said the Board has been pretty comfortable with no new houses in RP. Mr. Paul explained the criteria is that they may have been able to build before RP went in effect or before zoned RP. Mr. Venell asked if he knew of anyone that may have approached the town before they went into RP besides Riverview. Mr. Paul said he has at least one pending on Great East with at least 1000 foot of waterfront.

3) Mr. Cashin said back when he and Mr. Paul worked on the shoreland zoning they discussed the proposal within the shoreland zoning allowed the town to prohibit 30% expansion in areas of steep slope. The thinking was initially to pursue that and not build what is permissible but what is sustainable. He said we compromised on that because of the flack from the lake people. At the time, we said going forward we would implement some better stormwater management measures which will readdress the slopes. Mr. Paul spoke up and said one of the requirements with the Special Exception is less than 20% slope; it is one of the conditions. The State has reduced some of the criteria for Resource Protection and doesn't automatically remove or update our RP; we would have to go to the Zoning Ordinance and make ours less restrictive also. Mr. Venell said we don't have to and Mr. Paul agreed no we don't. Mr. Smith asked if there were ever a case that went to court where they may have decided one way or the other. Mr. Paul said not that he is aware of but it was a attorney that pointed the "Special Exception" out to him on behalf of a client.

**UNFINISHED BUSINESS** – Mr. Cashin asked what the word was from SMRPC. Ms. Capristo informed the Board that she received a bill with the hours used thus far, and Mr. Lockman should have the stormwater document to us by the end of the month (July). Ms. Capristo said she would see to it that the Board would have a chance to review Mr. Lockman’s document before scheduling him to return for a Planning Board meeting.

Mr. Cashin asked if the Board would consider sending SMRPC a memo to add back the stream buffers which had been deleted because of opposition heard from the townspeople and the folks upstairs said it would discourage acceptance of the ordinance. Because of the mixed feelings he said the buffers were pulled out. He said Mr. Lockman knows of this because he worked on the map buffers and said if the Board reconsidered them, they could easily be put back in. Mr. Cashin said he feels this is the right thing to do after learning of the flat lining of the lake water quality; first order streams go into these great ponds. Right now, there are no safeguards. Ms. Donnell said she thought it was a good idea but doesn’t really understand as it is not part of the stormwater ordinance or this project. Mr. Cashin said that it is not stormwater but it is a bit of zoning regulations. Ms. Donnell said, but is it part of this billing project? Mr. Venell said it is something we can do on our own if we wanted to. Mr. Cashin said he hoped it would be something we could revisit at some point in the future.

**ADJOURNED** – 7:31 pm

Approved – 8/2/12 Unanimous Vote.