



ACTON BOARD OF APPEALS

**Minutes of Meeting
June 1, 2015
Acton Town Hall
Room 126**

Board of Appeal members attending: Jonathan Wagner; Richard Fallon; Suzanne Buckmelter. Also present: Roland Bartl, Town Planner Kristen Guichard Assistant Town Planner and Cheryl Frazier Board of Appeals Secretary. Also present at the hearing were petitioner Timothy & Maria Membrino and their builder Peter Pelletier and Eric Watson.

Jonathan Wagner called the meeting to order at 7:15 PM.

Citizens' Concerns

None

Consent Agenda – Draft Minutes 5/11/15

The minutes of the May 11, 2015 meeting were approved.

Public Hearing – Hearing # 15-09 - 19 Henley Road – Special Permit

Jonathan Wagner re-opened the continued public hearing at 7:00 pm. He said the last time they were here there was a lack of detail to the plans and the Board needed more detail. He also said there is an updated set of plans with more detail along with a new memo from the Board of Health and Assistant Town Planner. The petitioner explained to the Board members where the septic is on the plot plan. The Board had concerns about the increase in the square footage. Jon asked if Kristen Guichard, Assistant Town Planner if she is comfortable with the additional square footage.

Rick was wondering the square footage increase to the living space. The petitioner said 336 square feet more or less is the increase to the living space with a total of 1000 square feet. Roland said just looking at the living space would not have triggered the applicant coming before the board.

Jon Wagner said the Board needs to go over the mandatory findings and find if the addition is more detrimental to the neighborhood.

The hearing was closed.

The Board voted unanimously to **GRANT SPECIAL PERMIT #15-09** with the following conditions:

- Complies with the most recent set of plans submitted.
 - Complies with Health Department memo of May 19th stating that any additions of foundation remain at least 10 feet away from the septic system and the sono tube footings must also remain 10 feet away from the septic system components, with the exception that a footing may be as close as 5 feet to a septic tank or pump chamber as long as the footing reaches a depth in the ground equivalent to the bottom of the tank.
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Public Hearing – Hearing # 15-10 – 7 Arborwood – Flood Plain Special Permit

Jonathan Wagner opened the hearing, read the contents of the file and asked the petitioner to begin. Eric Watson, petitioner said they want an addition on the house and because they are in the flood plain they have to compensate the value. Three cubic feet will be removed and six footings will be put in their place. Kristen Guichard memo states for the board to refer to the Engineering Departments review of the application under Bylaw Subsection 4.1.8.1. Jon asked Roland Bartl if they should assume this has met Planning department conditions. Roland said they rely on the town Engineer.

Rich Fallon began reading the sections of the bylaw that apply to the Flood Plain Special Permit. Jon added the board is relying on the findings from the Engineering department.

The Board moved that **SPECIAL PERMIT** be **GRANTED** with the condition that it applies with the plans submitted and the conservation commission has approved the plans.

The hearing was closed.

The Board voted unanimously to **GRANT** the **SPECIAL PERMIT #15-10** with the condition that it complies with the plans submitted and the Conservation Commission has approved the plans.

The meeting was adjourned at 9:00 PM.

Other business discussed

The Board members discussed the proposed Board of Appeals new Rules and Regulations and whether to approve or not. Nothing was decided because Richard Fallon wanted to review and would discuss the subject matter further at the July 6, 2015 hearing.
