

Planning Board

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November 02, 2006

Acton Planning Board

Meeting Minutes

November 2, 2006

Members Present: Chip Venell, Tom Cashin, Abraham Damuth,

Randy Goodwin, Brian Belanger, Yoli Gallagher

Members Absent: Jim Fiske

Guest Present: John Moore, Douglas and Mary Walsh, Steve Dagley, Charles and Marcia Hodsden, Michael Cuomo, Gino Giumarro, Patrick Mulcahy, David Billham, Jamie Lowrey, Ken Paul (CEO), Michelle Rumney(secretary)

Meetings



















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Meeting called to order at 7:00pm by Chip Venell

The minutes from 10-19-06 were read and a motion by Abe and second by Randy were accepted as written.

Jamie Lowrey of Sebago Tech and Patrick Mulcahy for Moose Pond Village

New plans with a preliminary application were submitted for a 14 single family lot subdivision with access from H Road and Anderson Cove Road. The 14th lot is not showing on plans right now, due to information that was given to them late this afternoon, it will have to be relocated due to DEP regulation. This is phase one of development. The plans submitted previously are going to be totally reconfigured.

The ideas for additional phases include more house lots, a constructed road and a seasonal site campground with possibility of transient sites.

Any lot that is in the RP zone has at least 90000 sq ft outside the RP zone for development. Lot 1 is in both the GP and Shore land Zone and will be subject to DEP regulations. Lot 13 has 2 potential vernal pools. Phase 2 will open plans to site location review by DEP. The vernal pools labeled as "potential" are viewed with the conservative approach and are factored in as actual vernal pools on the plans and setbacks.

Pat expresses that he understands that in doing this in phases (for approval) that future phases may be effected by the development done prior and he accepts that. This plan is being submitted for a 14 lot subdivision with the remaining land being retained by the owner, and will meet all the current zoning.

Tom Cashin expresses concern that this should be considered as a whole and not in phases as we have had an applicant who did phases and sold one of the lots, and because it was then owned by a second entity did not get flagged for site location review with the DEP and he doesn't want to see that happen here as well. He would also like the board and the applicants to take Cluster Subdivision into consideration.

Gino Giumarro from Woodlot Alternatives is present at the request of the Board. The board's intention is to have Gino do peer review for the wetland delineation, assess high and moderate value habitat and offer suggestions on the development around the wetlands.

Tom motions to retain Woodlot Alternatives for the following process:

- 1) Wetland delineation peer review of current delineation
- 2) Assessment as time(in fall of 2006 and spring 2007) allows of sensitive habitat areas and how the plans dated 10/28/06 could be modified to address these sensitive habitats
- 3) If needed, check vernal pools in the spring
- 4) Assessment of any habitat that has the potential to be on location.

Yoli seconds the motion. The board votes to retain Woodlot Alternatives.

Woodlot has submitted a proposal not to exceed \$10,000. The board will set up an escrow account with the selectmen with \$5000 to start from the applicant to pay the bills from Woodlot as they come in. The applicant will receive copies of all the bills from the secretary and will be requested to replenish the account as it gets low. The applicant, Patrick Mulcahy of Bettertime,LLC agrees to this.

Gino will submit an updated contract to the town for retention. The Town will notify the applicant how to handle the \$5000 escrow account.

Tom mentions that he has a problem with the idea of de-nitrification process.

It is said that the process works at temperatures above 50 degrees, but the average temperature in Maine was 45.6 degrees in the year 2004. He doubts its efficiency and effectiveness in a state with average temps below the 50degree mark. So what happens when the process doesn't work below this temperature, and what are the effects it has on the wetlands.

Yoli inquires about the archeological survey. David Billham tells the board that they walked the property on the 1st and the only areas that seemed to be of interest to the archeologist were outside the developable areas, within the setbacks. They will be returning at a later date to do a study.

Pat would like to assure homeowners on Anderson Cove Road that all lots created on this road will be subject to fees and everything else that the current lots in the road association have.

Jamie suggests that in lieu of cluster development, which does not appear to be beneficial for this phase, they would consider using building envelopes and putting restrictions on the cutting of vegetation per lot.

The board also recommends that when they have Sweet do their hydro study that a copy be sent to John Rand who will be doing peer review or save time for the developer later on down the road, because the board has been requiring this review of subdivisions near the wetlands.

Guests are allowed to ask questions or express concerns.

Concerns were made in the aspect of a 22 acre campground, and the culvert on Anderson Cove Rd only being 16" that with all that flat land the able to hold all that additional runoff.

Storm water management plans are required. This plan will be designed so that no more runoff leaves the site after development than already l may improve as upgrades to the culverts and so forth may be required.

Concerns of how the lot that abuts Great East will be handled, will this become water access to the campground?

This lot is going to be an 8 acre single family lot. They may apply to the DEP to put in a personal dock, however it will not give access to the c

Moose Pond will be put on the Agenda for December 7. A site walk is scheduled for November 11th at 9am. Members to meet at the gate of tl

Michael Cuomo for Janet Schofield 5 lot Subdivision

Five lot subdivision with existing road frontage of a 34 acre parcel. There will be 3 driveways to service these 5 lots. Front of parcel is in floo and in shore land. The only development proposed is the entrance of the 3 driveways through this area. The site is very steep, the driveways v and because of the shore land zoning this will trigger DEP review. These lots will be sold as lots. The buyers will then contract to build the ho

The only variance that is foreseeable is the hydro geological study, but will not be sure until a preliminary application is ready. Willing to incl these lots will have no further divisions.

Tom warns Michael that the hydro variance probably won't happen so close to the wetlands and Salmon Falls River.

On agenda for December 21 meeting.

Ken Paul for Best Possible Location

Map 36 Lot 73 – 123 Wren Road- Edwin and Elaine Sevigny

Replace septic with upgrades, demolish camp and reconstruct no closer than it already is (26.5 feet from water). To remain seasonal.

Brian motions to accept Ken's recommendation, Yoli Seconds it.

BPL accepted with one member opposed

Meeting adjourned 10:00pm