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November 16, 2006

Acton Planning Board

Meeting Minutes
November 16, 2006

Members Present: Chip Venell, Tom Cashin, Abraham Damuth,
Randy Goodwin, Jim Fiske, Yoli Gallagher

Members Absent: Brian Belanger

Guest Present: John Moore, Sandra Hoyle, Ronald Lowery, M. Flayhan, Ed Hubbard, D. Orino, H. Wilson, P. Williams, Lionel Williams, Rolly Boucher, Jon St.Pierre, Michael Peverett, Dave and Kathy Turcotte, Leonard and Helen Turcotte, Jeremy Turcotte, Paula Martin, Maureen Casey, Lorraine Yeaton, Diane Screbnick, Joe Ruma, Bruce Read, Ken Paul (CEO), Michelle Rumney(secretary)

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Meeting called to order at 7:10pm by Chip Venell after the meeting was moved upstairs

The minutes from 11-02-06 were read and a motion by Randy and second by Tom were accepted with corrections.

Letters entered into record in reference to the Turcotte Gravel Pit to date are from: Attorney Bruce Read, Cheryl Donahue, Ron Lowery, Sandra Hoyle and Emily Cook.

Tom reads aloud the letter from Cheryl Donahue who is an abuttor to the property.

Bruce Read asks for permission to record the meeting, the Board has no problem with this.

Tom explains that he has contacted Josh Mack of SMRPC to inquire about the traffic issues related to this project. Josh is going to contact Brian Munger from Maine DOT and share information with us in regards to the volume and type of traffic reported on this road. The DOT has issued the permit to the applicant, but it remains on the Boards shoulders to approve or deny. The site distance does not meet the required distance for larger vehicles, which is 635ft; it only meets the required 425 ft for a 45mph road for smaller vehicles. The average traffic on the road is a yearly average and not a seasonal high. Tom believes that the information to come from Josh Mack and Brian Munger may help us better understand this.

Chip explains that York County Soil and Water has approved this application with some changes.

Jon St.Pierre explains that the site distance increase to 635ft goes into effect when greater than 30% of the projected traffic is the larger vehicles. This is the estimated distance the truck takes to get up to speed (less than 10mph) when leaving the site. This number is related to acceleration and road capacity not to stopping distance. The average annual daily traffic count done in 2005 is 960.

Bruce Read asks what the maximum distance they can get at this location and where do the numbers come from? Has another location for the pit entrance been looked at?

It is explained that site distance is the distance in feet in which a vehicle has a straight line of site, the distance required for smaller vehicles is calculated by approx. 10ft per

1 mph of the speed limit on the road.

Jon states that he has not explored other locations for the entrance as he feels that this is the best and safest place to put the entrance.

Tom inquires as to the speed limit up the road about ¼ mile towards NH. Jon replies that he recalls seeing signs in both directions of 45mph.

Tom acknowledges that the site distance for cars or smaller vehicles is adequate, but the distance for larger trucks is not being met. We have to look at the issue of a truck going 45mph and what is the minimum distance to safely decelerate.

Jon tells Tom that the minimum distance for stopping is 425ft for all vehicles, increased site distance is not related to stopping, it is related to acceleration.

Tom would like to know; what is an adequate distance for a loaded truck to decelerate and react to a gravel truck pulling out either west or east and is there adequate time with this distance? Jon replies yes.

Chip explains that the Board will want at least 450 ft of site distance as that is what the town regulations state. Tom would like to see how the compares to the seasonal high. Chip reminds the board that more information on the traffic studies and site distances is coming and we should review.

A guest asks the question if it has been taken into consideration of the buses that will pass this site and the safety issues of our children.

Chip explains that it has not, and asked the secretary if we could contact the school on this matter and find out how many busses pass through l

Jon explains that York County Soil and Water have approved the application with a few minor changes that topsoil storage areas be designated detail be added to the plans, and they have been added; see note C4 on plans.

Chip states that the stormwater plan meets standards and will be internally drained. Chip asks Jon if he would go over SMRPC memo from Ja 10/4/06.

To each of the comments from SMRPC, Jon explains;

561c2: Parking and loading areas are moved in conjunction with pit operations

561d3: Adequate Insurance; would need conditional approval before bonding company will deal with them

561d8: Hours of Operation; proposed 5am to 8pm for loading; 730am to 430pm on all other operations.

Chip explains that most of the pits in the area open around 630 or 7am. The board will probably look closer at the 7am starting time with 5 or operation time. Jim and Tom both agree that 7am to 5pm sound more reasonable for ALL operations.

Tom asks if they plan on any operating hours on Saturday. Jon replies that Saturday hours have not been addressed with the applicant yet.

Diane Srebnick asks if the town has a noise ordinance. Chip replies that Acton does not.

Yoli suggests that if operating on Saturday, specifically the loudest parts of the operation be limited.

Chip asks if other than a loader or gravel truck if there will be any other equipment on site. Jon replies that occasionally a screener may need t

Tom recommends that the noisier parts of the operation be kept as far away from abutters. Jon noted that detail have been added to construct t needed to block noise.

Yoli is concerned about Jake Brakes being used by these trucks, especially early in the morning. Chip recalled mentioning that no Jake brakes condition.

David Turcotte said that this is not a problem, the trucks would be slowing down way before the pit and wouldn't need to use a Jake brake.

Tom asks about signs to put up stating this for all traffic. Ken expresses concern that it becomes a safety issue if we do that, there may be insta brake is needed for emergencies of other non pit traffic. Chip states that he does not believe that the town could require this, since the road is a they have authority over the limitations set.

Tom motions to have Josh Mack of SMRPC in for consultation for the next time the Turcotte proposal is on the agenda to discuss traffic related the motion. The board votes and agrees to ask Josh Mack to come in.

Abe mentions that a relative lives near the Pike Pit, several hundred feet from where the crusher is located, there are burms built but the dronin heard from the residence. On October 19th the Board had asked for decibel readings for the different types of machinery that might be used, d readings for the board.

Jon states that on the crusher used at the Pike Pit, the decibel reading is 82 decibels at 100feet. With use of distance, burms and sound studies t an acceptable level. Jon then asks where this residence is in regards to the pit.

Chip asks where does this reading fall, in regards to annoyance. He also notes that we are looking for readings for the crusher and screener at required for this site.

Dave Turcotte states that this is all new equipment and meets all State regulations.

Tom would like to see these decibel readings put into perspective to everyday life noise such as a chainsaw and other everyday noises.

Chip asks how far above the water table they will be working and how do they know that the water table is still the same.

Jon replies that they are staying 5 feet above the water table. They use test pits to define the level and continue to do test pits throughout the project would find a condition of approval for reports to be submitted to the town on these test pits acceptable.

Ken suggests that Civil Consultants submit a yearly report showing that they are in compliance of all conditions.

Chip remarks that the conditions as of now are erosion control and grader.

Jon adds that for reclamation they will reclaim as every couple acres are opened. The plan is to do this in the fall as it makes the most sense to the report.

Chip notes that a letter of credit will have to be submitted.

Jon replies that they gave an estimate of reclamation of 10 acres to be \$36,000.

Tom mentions problems that were a result of reclamation of the Pepin pit from the fertilizers used. A non phosphate fertilizer is recommended applicants to consider this.

Ken asks for confirmation that no standing water will be on site.

Jon replies that after a really heavy rain it may pool up for a short time but will quickly dissipate.

Chip notes that there will be no septic, no wells, no fuel storage on site. The water on site would be from rain and snow melt, not much to make what it is now. He then asks how far to Wilson Lake is the closest piece of the site that will be excavated.

Jon replies that 360 feet is the closest. Jon feels that the rates of fertilizer that they have presented are safe to keep the lakes protected, but will phosphate fertilizer into consideration.

Tom notes that the lake association has been proactive on this matter. The association offers free non phosphate fertilizer to homeowners around should follow their lead here.

Ron Lowery notes that the Board should also take the springs into consideration here as they flow right to the lake.

Jon explains that when a fuel truck comes in to refuel the machinery on site, a portable impermeable pad has been designed that can be put under areas to prevent any spillage.

Chip notes that septic system of a home less than 50 feet from the lake should be more of a concern than rainwater leaving this site.

Tom asks where the water goes underground, fertilizer would be the major contaminant here.

Ken asks if top soil is being removed from the site, also if materials are planned to be brought in and if there will be stump grinding.

Jon replies that they have to leave enough topsoil to reclaim the site on location, 6 inches thick as stated in the plans. They may want to bring in and grinding only of stumps from trees cut on site.

Bruce Read comments that he does not believe bringing materials to the site is permitted by the regulations for an extraction permit. See 5.6.1

Chip notes that Civil Consultants may want to speak to the applicants on this matter.

Ken asks that they make certain that the grinding on site of only trees cut there and no stumps be brought in nor buried. He then asks what the of.

Jon replies 180 feet of pavement at the entrance, followed by another 100ft of crushed stone.

Michael James asks if air quality has been addressed. He expresses that a lot of health and safety issues need to be addressed here; noise levels weight issues to the road, air quality, etc.

Tom asks if there is an alternative to the portable refueling pad. His concern is that the pad will be forgotten or damaged from dragging it all o

Dave Turcotte replies that they could create a concrete slab with side walls that would contain any spillage and allow it to be picked up. Tom a better alternative.

Michael James interrupts and tells the Board that they need to also consider the Saturday traffic when the kids and parents are at the ball field.

Jon asks that the Board control this resident. The board tells Mr James that he cannot interrupt.

Michael Peverett of Civil Consultants tells the board that the entrance to the ball field is 1800feet from this pit entrance.

Chip summarizes things that still have to be done; like to curtail Saturday operations, find out how much noise the crusher contributes and wh meet with Josh Mack from SMRPC and retain info from the DOT in regards to site location and other traffic issues, consider non phosphate fer requirement.

Tom adds no materials to be brought on site and no topsoil to be removed from the site.

Yoli adds that they should also consider limiting crusher operations.

John Wilson comments that reclamation should be every six months and if they are approved with Saturday operation hours that they start after 7am.

Chip speaks of the reclamation that once at final grade, reclamation begins and only 10 acres can be open at a time by State rule.

Jon explains that there isn't an issue to reclaim in the spring and fall if that is what the Board wants.

The board will meet on this project again on January 4, 2007.

Ken Paul for Robert Creamer proposal (Map 254-3)

Mr. Creamer has submitted a proposal to the CEO to build 12-15 cabins, a private rec. facility. Though not a campground, it is similar to a can board will require a conditional use permit review on this project. Ken will send Mr. Creamer a letter stating that a Conditional Use Permit and Board is required.

Meeting adjourned 10:05pm.

(minutes approved at the 12/7/06 meeting)