

Planning Board

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December 07, 2006

Acton Planning Board

Meeting Minutes

December 07, 2006

Members Present: Chip Venell, Tom Cashin, Brian Belanger,

Jim Fiske, Yoli Gallagher

Members Absent: Randy Goodwin, Abraham Damuth

Guest Present: John Moore, Jamie Lowrey, Dave Billham, Patrick Mulcahy, Edward Titcomb, Nathan Weeks, Marie Skelly, Ken Paul (CEO), Michelle Rumney(secretary)

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

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The minutes from 11-16-06 were read and a motion by Yoli and second by Tom were accepted as written.

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Mary Pierce from Woodlot Alternatives gives review of findings on Moose Pond Site. A site walk was done on November 17, 2006. It was found that the wetland delineation done by Sebago Tech is accurate. There are 9 potential vernal pools, though would require a spring check to be sure that they are utilized vernal pools. No rare or endangered species were found, other than a pitch pine bog which is disclosed on the map. Again, a spring check would have to be done to accurately study as some of the plants have already passed for the season. No record with IF&W of rare or endangered species in the area. The closest report is of a blanding's turtle 8 miles south. The proposal meets all the IF&W standards and the habitat is adequately protected. A full written report was submitted to the Board.

Nathan Weeks, a land abutter, makes comment of concern that there is a loon on Moose Pond, a beaver dam and eagles nest.

Tom asked if there was any recommendation on lot 13 where there are 2 vernal pools on the lot of significant size. Mary mentions that they could possibly reconfigure this lot, but that there is still enough space in the lot outside of the vernal pools to build on.

Tom asks if a spring survey is recommended. Mary replies that the proposed plans meet Inland Fisheries and Wildlife's standards and leave the habitat adequately protected.

By Town definition of Resource Protection, Tom believes that the no development line that crosses lot 3 should be labeled as RP instead of shoreland zoning. The board discusses this and agrees that three lots would need to be reconfigured; Lot 3,7 and 6 since the area in RP can not be counted for your lot size requirements.

Jamie Lowrey of Sebago Tech for Moose Pond Village

Jamie Lowrey submits the Wetland Report and a letter from Sweet with a model of nitrate plumes for the site. Sweet needs to do further studies with test pits/monitoring wells to better model the nitrate plumes. This should be started in the next week or so. He also explains that they have moved the "road" entrance off the H Road further up the hill to allow for better sight distance.

Nathan Weeks asks how lot 13 will be accessed and if rights to Moose Pond or Great East will be granted.

Jamie replies that the only people who have access to the lake/pond are the people who purchase the lots with the lake/pond frontage, no other rights will be conveyed to other lot owners, and on this plan only 2 lots have shore frontage; one to Moose Pond and one to Great East Lake.

Nathan expresses concern over the eagle that is nesting off the shore of Moose Pond.

Tom asks the applicant to research the potential for the existence of an eagle here and re-label the areas addressed from Shoreland Zoning to Resource Protected.

Jamie also mentioned that they are open to limiting the cutting of lots with a "clearing envelope" to allow for the open space rather than considering the idea of clustering.

The board will see Moose Pond on the agenda for December 21st to go through preliminary plan check list after having received comments from secretary will call Jamie Saltmarsh

Leo Meynard of RealiRealty for John Harrelson (owner of the Old Rumrill Property)

An application for Board Review has been received, no payment required yet.

This lot is considered by Town Tax Maps to be one lot with 3 dwellings. These dwellings have been there for 20 years. The new owner would like to subdivide into four lots and doesn't believe that he should have to go through the subdivision application process, as interpreted by his lawyer that this was subdivided.

The board tells Leo that they can split and sell the lots and do whatever they would like, but the problem comes when they are going to build a road. The required 250 feet of road frontage for the lots in the back and are taken to court for selling an illegal, un-buildable lot. The right of way design standards considered for road frontage. If the lots are sold as is, without subdivision review they will not have adequate road frontage and will not get building permits. This right of way would have to be brought up to town road standards and be brought in front of the Planning Board for Board Review just for the road to be accepted as a road.

-Revision of Subdivision Regulations (section 10-1 thru 10-16) changes are on master copy.

-Bill from Acton LLC for work on Liberty Lane (Bluesky Development, LLC) road has been submitted and approved for payment of \$80,000 from account which holds \$100,000 for completion of the road. Michelle will submit the bill to the treasurer for payment on the next cycle.

-Matt Winchell needs clarification on the board's opinions from Aug 17, 2006 in regards to selling property and losing road frontage. Michelle will come in and speak with the board on the second meeting in January.

The board is given preliminary application for the Schofield 5 lot subdivision off the Hopper Road. This will be on the agenda December 21st. Application received.

Next meeting, December 21st:

Schofield 5 lot subdivision off Hopper Rd

Moose Pond Preliminary Application Checklist w/comments from SMRPC

Subdivision Regulation Revision