

# Planning Board

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**March 01, 2007**

## Acton Planning Board

### Meeting Minutes

March 01, 2007

**Members Present:** Chip Venell, Tom Cashin, Yoli Gallagher, Randy Goodwin, Keith Davis

**Members Absent:** Brian Belanger, Jim Fiske

**Guest Present:** John Moore, Dave Billham, Jamie Lowrey, Pat Mulcahy, Matt Winchell, Andrew Gobeil, John and Mary Lonergan, Andy Brazier, Robert Creamer, John Ford, Russell Hughes, Steve Bodkin, David Winchell, Keith Noble, Dick Neal, Ken Paul (CEO), Michelle Rumney (secretary)

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

The minutes from 02-15-07 were read and a motion by Yoli and second by Tom were accepted with changes.

### **Russell Hughes for John Ford Sr. Conditional Use Application (map 05 lot 47)**

Conditional use application for Timber harvesting on the Milton Mills Road. R.W. Libby and Sons would be in charge of the operation. Proposed activity will be held in the winter of 2007 -08. They will maintain a 75' buffer of "no cut zone" along the borders with the Resource Protected Zone. The cut would be 30-35%. Russ recognizes that there are significant wildlife in the area such as beaver, moose, nesting opportunities and deer. Russ believes that the deer use the area mostly for travel and not wintering. He explains that the harvesting will help bring food in for the deer and other animals by opening the area up to light allowing for things to grow at all different levels. Trees to be harvested would be painted in Blue and trees believed to be a wildlife habitat would be marked with a "W" and signal the loggers to leave the tree alone.

Tom explains to Russ that a wildlife biologist will be in the area working on a project in Shapleigh. Tom asks if he would be open to inviting the biologist to the property and possibly walking the property with him. Russ replies that he would invite and encourage the biologist to the site. Tom will ask Norman, the biologist to contact Russ and make arrangements.

Andy Brazier asks how this cut would compare to last years cut and Russ replies that this would be a lighter cut. Patch cuts are done in the areas where suspected deer wintering takes place allowing for sun to hit the ground and sprouting opportunity to increase the food source. Andy also asks what the time period on the cut would be, Russ replies that he would expect at least 10 years. And asks if there is a required buffer along the property. Russ replies that he doesn't believe that the town has set that in an ordinance, but the landowner is willing to work with abutters concerns.

Tom explains that one concern will be the buffer between the road and the school. The property owner John Ford Sr. will agree to leaving the trees along the school property there.

Site walk is scheduled for Saturday March 24<sup>th</sup> @ 9am. To meet at Walker's old farm house. Public hearing scheduled for April 19<sup>th</sup> @ 7pm.

### **Matt Winchell for road issue**

Matt submits documents to the board to view in regards to his road. Chip explains that the board needs something more definitive from the builder; how the road was designed, what the base is and the materials used.

David Winchell Jr. explains that the road was built to all town specs at the time and by issuing occupancy permits for the homes on this road it was basically signed off on back then and he doesn't believe that this should have to go through Subdivision review.

Tom asks what items Matt is requesting a waiver for. Chip replies 8.1f and 8.2 in the requirements.

Matt agrees to conditions that no further subdivision of this land will take place without planning board review and he agrees to the condition that this is a private road and will always be a private road and that it is never requested to be accepted as a town road.

Chip asks Matt to prepare the Board a better map, showing all lot lines for each of the 3 lots on the road with their dimensions and road frontage. Tom also notes that a hammerhead or turnaround should be defined on the map.

The proposed name is Fidelity Lane, Matt needs to contact E911 co-ordinator Ben Gore and make sure this name is acceptable and isn't close to any other road name in town.

Matt will bring in a sketch with all the requested dimensions at next meeting.
















### **Robert Creamer for Conditional Use Application**

Proposed use is for recreation camps on property on the Hebo Hybo Road. He has 60+ acres. These camps would be 10x20 to 12x14 camps, built on site on skids to allow them to be moved short distances. They would be used for a getaway for activities such as snowmobiling, fishing, hunting, hiking, horseback riding, etc. No electricity or septic everything would be run on gas. These cabins would be for rent for short term stays, either by day, week or month. Terrance Grant has provided a letter giving permission to park at his gravel pit and walk in.

Tom states that the Hebo Hybo road is not really a road, it was discontinued by the Town a long time ago so this would not be acceptable as road frontage. Randy explains that this would fall under non conforming lot of record. Ken would agree that it is a non conforming lot of record, but the ordinance also states that you can not expand the non conformance and by making this into a commercial endeavor it is expanding the non conformance, if the road is not legal for the road frontage.

The board needs to research this further. A letter will be sent to the town attorney asking for legal opinion about the discontinued road and road frontage. The board will also have to decide how to address this for review, most likely it will be treated as a campground or similar use.

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Mr. Creamer explains that there is another place to access other than Grants pit. Slightly beyond the Grant outlot to the left there is an access r  
John Moore notes that in research of the piece of land that was acquired by the Town there is no Right of Way in any of the records that would  
property for access to this lot. He can not use Town land as access.

Mr. Creamer said that he was going to approach the town and ask what the intentions of the land were and if he could purchase it or a piece of  
John replies that the town forest committee is looking to gain area not to sell it. John would like his letter to the CEO from 2006 in regards to t  
put into file with this application.

Chip advises Mr.Creamer to speak to the selectman about trying to purchase a piece of Town land as the Board has nothing to do with those m  
The board will contact Mr.Creamer with the findings from the lawyer in regards to the discontinued road before the matter can go any further.

#### **Sebago Tech and Sweet Associates for Moose Pond Village**

Andrew Gobiell from Sweet Associates speaks in reply to the John Rand review. The major concern seems to be that with these calculations th  
plumes right up to property lines on lots 8-11. He would recommend pulling them away, moving test pits back.

Tom suggests that a precise locus with a building envelope is necessary here showing that especially lots 9 and 10 can exist together.

Andrew will redraw plumes, fax to Rand and get his feedback directly and add changes to final plans including “exclusion zones” rather than a  
This will show where the septic fields can not be placed as to keep the plumes away from property boundaries.

#### **Ken Paul for Best Possible Location for Peter Sparco**

**(map 45 lot 51)** 740 Lakeside Dr

This would be a rebuild of an existing home with a new septic using the 30% expansion. The lot is too small to allow for moving further away  
Ken shows pictures to support this and gives his recommendation to the board to grant this.

Yoli motions to accept Ken’s recommendation and grant the Best Possible Location permit; Randy seconds the motion. The board votes 3 yes  
granted.

#### **Levesque requests the release of Letter of Credit for Country Side Estates**

A letter from the engineer states that the road has been built to specs. Town of Shapleigh has signed off on it already, a copy of that letter is on

Randy motions to release the performance guarantee for Country Side Estates; Tom seconds the motion. The board votes in favor of releasing  
Michelle will draft a letter and have Chip sign it next week

#### **Discussion on complaints of Loon Ridge**

There have been many complaints about the road at Loon Ridge causing too much runoff. A letter from the engineers stating that it has been b  
standards as approved on the plans needs to be requested.

Tom also mentions that the retention basins being too high were one of the complaints. Ken has sent an email to Lenkowski requesting a letter  
Meeting adjourned 9:45pm