


# Planning Board

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June 21, 2007

## Acton Planning Board

### Meeting Minutes

June 21, 2007

**Members Present:** Tom Cashin, Brian Belanger, Jim Fiske, Randy Goodwin

**Guest Present:** John Moore, Pam McAliden, Pam Ronilly, Marie Skelly, Jane Knapp, Jack Kelley, Leslie Dennis, Bob Dennis, Rob Meyers, Joe Ruma, Patrick Frasier, Ken Paul (CEO), Michelle Rumney (secretary)

Meeting called to order at 7:10 by Tom Cashin

Minutes from 6.07.07 were read and on a motion by Randy and second by Jim were accepted as written.

### Public Hearing on Proposed Changes to Subdivision Regulations

Tom explained that these regulations have not been amended since 1991 and was recommended by the State to update these regulations. This has been in the process of revision for approximately a year now. He explains that these are not ordinances and will not have to go in front of Town Meeting. These are regulations that the Board uses as guidelines in reviewing subdivision applications and the Board will vote to adopt these formally at the next meeting on July 5<sup>th</sup>. He notes that there are some housekeeping items that will need changes, but the content as a whole will not change prior to adoption.

No comments or questions were offered from the public.

### Leslie Dennis for Dennis Lane (Tax Map 244 lot 26 ) 1051 Milton Mills Road

The existing lot has a house on it. Applicant intends to split this lot into 3 lots, one which will retain the house and his daughter will live in, the next one he will build a house for he and his wife to live on, and the third for his son to build on. The intention is to only clear the area needed for the houses and drives, to leave everything else natural. These two back lots will need road frontage, which is why major subdivision review is warranted. Applicant is seeking waivers for contours/elevations, hydrogeologic study, and trees in 24" diameter or greater.

Tom questions if this needs to be reviewed by the Board because it is staying within the family. Ken replies that because of the creation of a road it requires major subdivision.

The board votes (all in favor) of denying a waiver of contour lines and elevations as this is an important part of the process when a road is being built.

Brian motions to accept the waiver on the trees 24" in diameter from being placed on the plan as it doesn't seem to serve much relevance in this situation; Jim seconds. All in favor of waiving trees 24" on plan.

The waiver on the hydrogeologic study is tabled until more information is presented.

Tom also tells Mr. Dennis that the road will have to be built to town standards as adopted at Town Meeting 2007.

After reviewing the list of preliminary plan submissions the Board found that of the required submissions these are still outstanding: . On the plan the location of the homes, proposed septic and contours/elevations should be added, as well as locations of water supply. The site plan for the septic is to come; a letter from the site evaluator was presented in lieu of that this evening, when those are available they should be submitted to the secretary. The Board also needs to know the nature of the wetlands on the property from the surveyor. We will schedule this on agenda for the July 19<sup>th</sup> meeting, and Tom reminds the applicant that they need to submit these things 2 weeks prior to that meeting.

### Patrick Frasier- Revision of Frasier Lane

Pat has acquired the land locked property behind his subdivision. He would like to amend the lot lines and create the 5<sup>th</sup> lot that he had envisioned in his previous plan and make this a conforming lot and extend the road. The Board reviews the plans and it is in consensus that all the previous information submitted will cover this change. Test pits have been done for this "fifth lot" already. An application and fee will have to be submitted by next meeting and a public hearing will take place on July 19<sup>th</sup>.

### Patrick Frasier – 3 lot subdivision off Orchard Road for Elwell

The board looks over the sketch plan presented to them. This would be a minor subdivision using existing road frontage. Tom explains that this will fall under the new guidelines that the board is to adopt tentatively at the next meeting. Pat acknowledges that he is aware of this.

### Discussion on Moratorium of Commercial/Industrial

Jamie Saltmarsh from SMRPC explains that towns have adopted moratoriums when they have been faced with applications or potential applications for projects where no real standards are set in place for review. The potential for a solid waste facility application is facing the Town of Acton. There are no real standards set forth in the ordinance to address this type of review process. The current ordinance for conditional use permit applications is really intended for smaller operations. This 6 month window gives time for the Board to create an ordinance to address the review process for such applications. She has found that other towns such as Westbrook and Eliot do not have specific ordinances in place for Solid Waste facilities, but do have ordinances that allow for a more extensive site plan review process. The site plan review process would be intended for plans that have a larger impact on a site than a home occupation for instance. The moratoria language would have to be looked at by an attorney before bringing to Town Meeting, but SMRPC can help with this process to get it there.

Pam McAliden explains that she knows that in Hamden, (a small town in Northern Maine) fell under the same problem with a solid waste facility. They did not have criteria in place an approved the facility. The smell around this was terrible, the traffic exiting and traveling the town roads put off a terrible odor. There is a big need for stronger regulations on these types of applications.

The Board discusses the issue. This moratorium would not single out one single enterprise. Creating a site plan review process is part of what the Comp Plan intends to accomplish at Town Meeting 2008, however because of the potential for these applications prior to that a

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special town meeting would be needed to start this process earlier. Members are concerned that by opening this up to all Commercial Industrial may not pass through on town floor.

Tom entertains a motion on the idea of a moratorium. No motions are presented. Brian urges the Board to wait on this until Chip and Keith are given input in this as well. Tom explains that he asked that all Board members be present at this meeting for this reason, but due to unexpected circumstances could not happen.

Tom motions for the Board to vote to support a Moratorium on any new Commercial/Industrial Activity, excluding commercial mineral or groundwater extraction and/or storage, to go in front of a Special Town meeting to allow time for creation of a site plan review process in our ordinance.

3 yes (Brian abstains) to support a Moratorium.

**Ken Paul for BPL for St.Laurent (Map 48 lot 15) of Redgate Lane**

Demo existing camp which sits 44' from water, replace with new allowing for 30% expansion. Would move back to 65' from water with DEP approval without DEP approval. The septic would be moved further back as well. Ken recommends 65' with DEP approval or 75' without DEP approval to accept Ken's recommendation; Jim seconds. BPL approved.

**Ken Paul for BPL for Kosinski (map 119 lot 9) of Redgate Lane**

Replace existing camp with new home in same footprint and replace the septic system. The board reviews the plans. Ken recommends keeping same footprint with a new septic. Jim motions to accept Ken's recommendation; Randy seconds. BPL approved.

Meeting adjourned at 10:00pm