

Acton Planning Board Meeting Minutes
August 7, 2008

Members Present: Chip Venell (Chairman), Larissa Crockett, Keith Davis,
Tom Cashin, Yoli Gallagher, Randy Goodwin

Members Absent: Jim Fiske

Guests: Shelly Blaisdell (Minutes Secretary), Ken Paul (CEO), Steve Stearns,
P.E. Pinkham & Greer, Steve Bodkin, John Moore, Bill Lotz, P.E., David Pepin,
Denise Pepin, Isaac Pepin, Matthew Pepin, Luke Pepin, Leo Menard, James
Lowery (Sebago Technics), Freddy Sanchez, Bruce Grimes, Eleanor Moulton, Stu
Smith, Eleanor Smith, Donald Van Sinderen, Cheryl Donahue

Meeting was called to order at 7:00 p.m. by Chairman Chip Venell.

1. Public Hearing for a conditinoal use permit for Doug Lundeen/Paul Lynch with
presentation by agent Steve Bodkin.

Public Comments: Mr. Bruce Grimes, who lives on Bluebery Hill Road, asked
questions regarding what would be cut/cleared? Mr. Bodkin explained what his
plans are and they also reviewed the maps and asked what additional plans were in
the works for future use. Chip explained that as long as it was not resource
protected or shoreland it would not go through the planning board. He could
speak with Steve Bodkin privately after the meeting. Code enforcement can help
Mr. Grimes figure out if his property falls within those categories or not.

Findings of Fact:

A. No

B. N/A

C. Yes

D. N/A

E. N/A

F. N/A

G. N/A

H. N/A

I. Provisions have been made for soil erosion

J. Covered earlier

K. No objections from abutters

L. N/A

M. N/A

Motion made by Tom Cashin to approve the findings of fact as read.

Second by Keith. All in favor. Passed 4-0

Conditions:

Conditions listed in the timber harvesting guidelines

Harvesting should take place on frozen ground. Steve Bodkin requested that it be
amended to say dry or frozen ground; board agreed.

Motion made by Tom to accept the conditional use permit as reviewed.

Second by Yoli. All in favor. Passed 4-0

2. Public hearing for David Pepin for a special extractive use permit for a gravel
pit on the H Road in Acton. Mr. Pepin explained that he wants to slowly go in and
take gravel out. Mr. Lowery explained again with the map on display that they
have approximately a 350 acre piece of land with a 35 acre gravel pit to extract
from. There will be a gate on the property that will be paved up to that point. The
site walk took place with the planning board and James Lowery of Sebago Technics

explains that they are now here for the public hearing.

Board Comments:

Truck trips per day was discussed and Larissa suggested that a limit of 40 truck trips per day be set as a maximum allowed. Also, jake brakes being used in town was discussed and the board requested that the drivers turn off their jake brakes when coming through town.

Chip asked if there was a drawing on the proposed entrance showing gravel at the transition area to the entrance? James said that he will get the board an updated map showing those things.

Larissa asked who he was selling to because he previously said he only hauled for private use? David explained that he does get a request on occasion to sell some gravel and because of the location of his pit, it is cost effective to sell his gravel to locals.

Ken said he doesn't see any issues. There is not a scale house, etc. being requested, and it is not a large operation, so he doesn't have any concerns.

Yoli asked what changes on the map were made? Mr. Lowery said that in the memo from Southern Maine Regional Planning they made recommendations based on the erosion control standards and they added notes to comply with those recommendations. Also, a note was made to correct an error where another town's gravel pit information got put on this map by mistake.

Chip asks about the memo from Sebago Technics making reference to road conditions? Mr. Lowery explains that due to a conversation with the road commissioners, they felt a note needed to be added for the curve in the road and that is why the memo was sent on that issue.

Larissa asked about hard wood being cut on that property and being replaced with pine? Mr. Pepin explained that this piece of property is approximately 99% pine now.

Tom asked what Mr. Pepin's plans are for a rock crusher on the property? Mr. Pepin said he doesn't use a crusher very often and couldn't see needing one more than 8 or 10 weeks per year. He would like to have the option to crush in the Spring when the roads are posted and he can't drive his trucks, to keep his crew busy. Chip asked approximately how far back off the H Road is he operating right now? Mr. Lowery explains that they are at least a 1/2 mile back off the H Road. Mr. Pepin said that you can not hear them at all because he has walked the property and there is not sound.

Tom asked for clarity that the traffic count issue might be 18 trips to and from the property which equates to 36 truck trips per day? Keith said that previously they had set a maximum number of trips per day and Larissa said that with this application they are asking to increase as the business picks up and also it is a town road and not a state road which also makes a difference due to the wear and tear to the roads.

Mr. Pepin said they have only had one complaint and it was regarding a truck speeding, and it never amounted to anything because his trucks have gps and it monitors their speed.

Larissa said she feels that the truck trips per day needs to be resolved tonight before proceeding. Discussion took place on how many trips per day and the board

made a determination that 25 loads per day equating to 50 truck trips per day be a maximum with the option of Mr. Pepin calling the CEO on occasion if a special project requires and ask to increase that maximum.

Ken asked Mr. Lowery to plan on having the construction entrance either paved or filled with rip rap to help with traction. Mr. Pepin said he prefers to put hot top up to the entrance and then use the rip rap to help with traction and sand.

Chip asked that the applicant let the road commissioners know that they are increasing the truck trips and also asked for a revised map showing the paved entrance.

Mr. Pepin asked if he can do the hot top at the entrance now? Chip said that Mr. Pepin was allowed to do the hot top now with no problems. Ken also said he was fine with that happening now also.

Chip explained that an escrow account needs to be set up to pay for the consultants that are used on the application process. The town treasurer recommends a \$500.00 escrow be set up to start. Also, Mr. Pepin was told that his \$100.00 application fee still needs to be paid.

3. Loon Ridge Elevation Issues were discussed. Mr. Stearns of Pinkham & Greer gave an update to the board on what is happening currently on that project. Chip said that the board will need to know what is happening with the road and requested that Mr. Joe Lenkowski keep them updated on where in the process he is and requested that Joe send the board an update in writing or appear to answer questions. Mr. Stearns said he would speak with Mr. Lenkowski regarding the concerns of the board.

4. Ken gave the board a presentation regarding the e mail from John Rand for what was Built by Adams, formerly Blue Sky Development. The board decided that they need something official requesting the change and also have it state what the original outflow lines were and how they differ now.

5. John Moore spoke to the board about several discrepancies between the zoning ordinance books.

Keith makes a motion to accept the minutes of May 14, 2008 as revised. Tom seconds. All in favor. Passed 4-0

Keith makes a motion to accept the minutes of May 15, 2008 as revised. Randy seconds. All in favor. Passed 4-0

Randy makes a motion to accept the minutes of June 5, 2008 as revised. Keith seconds. All in favor. Passed 4-0

Keith makes a motion to accept the minutes of June 19, 2008 as revised. Larissa seconds. All in favor. Passed 4-0

Randy makes a motion to accept the minutes of July 17, 2008 as revised. Keith seconds. All in favor. Passed 4-0

6. The board requested that MMA be contacted and an answer in writing be sent to them regarding the town's attorney being considered an independent consultant and his fees being paid for by Pat Hannon.

Keith made motion to adjourn. Second by Randy. All in favor.

Passed 4-0

Meeting adjourned at 10:00 p.m.