

Town of Acton, Maine
Planning Board Meeting
October 21st, 2010 7PM

A. ROLL CALL – 7:02 p.m.

Members present: Chip Venell- Chairman
Thomas Cashin – Vice Chairman
Keith Davis
David Jones
Jessica Donnell – 1st Alternate (Voting in place of Ms Gallagher)
Arthur Kelly – 2nd Alternate

Members absent were: Yoli Gallagher

Also in attendance: Jean Noon, William Noon, and Larissa Crocket, Ken Paul, CEO and
Linda Capristo, Recording Secretary.

B. MINUTES

Approval of October 7, 2010 Minutes - (Davis/Jones) Unanimous

C. UNFINISHED BUSINESS

D. NEW BUSINESS

1) **William and Jean Noon**

Best Possible Location – 145 Foss Road

Map 117-050

Mr. Noon presented the Board a survey from 1990 and pictures of their property on Foss Road and Great East Lake. There is an old trailer/camp with a pitched roof and a small shed behind the dwelling. The Noon's are looking to replace the current dwelling which is 33 feet long and 21 feet wide with a 14x24 barn.

Mr. Paul states that the applicants are looking to use the existing building as a shed and put a new building up. Mr. Paul thought the PB might need a site walk for best possible location for a building envelope as there is room for development up top near the road. Mr. Paul said by relocating the building, it would be more than 100 feet from the water. The proposed building is a much smaller building; a 14x24 foot Pole Barn with no floor. The idea is to utilize the new barn for their personal boat storage.

Mr. Venell questioned if it was residence now or just a place to store your boats. Mrs. Noon states that it is a residence now and there is a beautiful birch ceiling from an Aircraft Manufacturer. Mr. Davis said that as it stands they do have the right to expand. Mr. Paul agreed and stated 30% expansion with a foundation but it still would need PB approval for best possible location.

Mr. Paul stated the benefit outweighs of the reduction in square footage, the erosion control and with vegetation of the buffer zone. He stated that power lines do cross the property.

Mr. Cashin asked about a septic and Mr. Noon said there is a cesspool that would be discontinued and there would be no septic which would be less of an impact. Mr. Paul said there is an approved septic design for up the top of the property dated October 13, 2010. Mr. Venell said that the PB won't need that since you are a 100+ from the water. Mr. Cashin pointed out page 8 of the current Zoning Ordinance Relocation 1.4.7.2. and would like the Noon's to review.

Mr. Cashin made a motion to grant the best possible location with a reduced size within the existing footprint and no closer than 26 feet with the standard re-vegetation. Mr. Davis stated it is a much less intensive use, a smaller footprint and aesthetically pleasing.

(Cashin/Davis) Unanimous

2. Best Possible Location – Adams

Foundation – Lift, Move Back and Replace

Mousam Lake – Avenue D

Map - 145-009

Mr. Paul opened by showing some pictures of the Adam's property and explained how they are looking to lift the dwelling to install a foundation. He said there is about a 100 steps down to get to it and will be difficult to get excavation equipment down or material out. Currently the building sits 18 feet from the water.

Mr. Paul said that he is looking to move/cut it back 9 feet to the retaining wall area. The problem is if it is pulled back it will be in line with the shed. Then when you step out the back door the shed would be right there. Mr. Paul feels that there is at least 9 feet maybe even more if they dig back. That would make it around 5 feet from the door to the shed. Mr. Paul feels that's very close and they could do 9 feet but the owners are looking at 3 feet. The owners want as little disturbance as possible. Mr. Paul continued by saying it is going to be very difficult project. They want to put a foundation underneath without increasing the size. It is not a knock down just a foundation and it is required the PB to decide where to relocate the best possible spot using the same footprint.

Mr. Cashin asked about the septic system and Mr. Paul replied it is about 4-5 years old and a pump up system to the road.

Mr. Venell said that basically the applicant is just going to jack it up and Mr. Paul replied yes. Mr. Paul continued by saying they are trying to achieve the required 25 foot setback. Mr. Paul said even if it is just one foot it is one foot and would improve the property. He would like to see it pulled far enough back that the foundation and slope could be filled in. The more it is pulled back the more of a front yard they would have. Mr. Jones said this would help with water flow. Mr. Davis agreed that if they left the space there that all the water would run right down into that space.

Mr. Paul said it would be a full 8 foot foundation and elevated by more than 3 feet off the back corner. Mr. Venell said it can't go more than 3 feet. Mr. Paul said if he puts the foundation up to the retaining wall he would be all set. Mr. Paul said they should relocate it or don't do it. Mr. Paul would like to achieve 25 feet from the water. **Mr. Jones** motioned to go with Mr. Paul's recommendation second by **Mr. Davis – Unanimous.**

3. Joe Anderson - York Cty. Soil and Water Conservation District

Mr. Anderson is the Project Manager for York County Soil and Water. They have an office in Springvale and was invited by the PB and CEO to learn more about York County Soil and Water. We often refer residents who may need to re-vegetate their property after excavation and construction, especially where there is large slopes and water run off. Mr. Anderson said the mission of the York County Soil & Water Conservation District is to provide technical, educational, and financial resources to land users in York County to promote a quality of life, stewardship and wise use of our natural resources and ensure the viability of the agricultural sector. He handed out a fee schedule that we could use when we refer property owners to YCSWCD.

Adjourned: 8:15