

ACTON PLANNING BOARD PUBLIC MEETING

DATE October 6, 2011

ROLL CALL – Meeting began at 7:10 pm

Members present were: Chip Venell – Chairman
 Thomas Cashin – Vice Chairman
 Jessica Donnell
 Yoli Gallagher

Members absent were: Bob Kane – 1st Alternate
 Arthur Kelly
 Open Seat – 2nd Alternate

Also present were: Robert Smith, Brenda Adams, Charles Adams, Joe Stanley-Line-Pro, Kenneth Paul, Code Enforcement Office and Linda Capristo, Recording Secretary

MINUTES – **Approval of September 15, 2011 minutes.** Motioned by Ms. Gallagher to accept as written seconded by Ms. Donnell – Unanimous Vote. Minutes for August 18th held as Art Kelly was absent.

NEW BUSINESS – Revision to Riverview Estates by Owners, Brenda and Charles Adams, Tax Map 257-11 and 248-22. Land Surveyor, Joseph Stanley, Line Pro

Mr. Venell opened the meeting at 7:20 p.m. by stating we received a proposed revision to Riverview Estates. Owners, Brenda and Charles Adams submitted a Sketch Plan and application prepared by Joe Stanley of Line-Pro Land Surveying. Mr. Venell asked them to step up and let the board know what their plans are. Mr. Adams started by saying that they have a large track of land but didn't have any road frontage so back in 2003 they bought a lot down the end of Riverview Estates to gain access to the back of their lot. The property they own is located at 372 Foxes Ridge Road (Tax Map 248-022) and the property joins up with the Riverview Subdivision. Mr. Stanley asked that they look at the site map in the proposal depicting the two parcels the Adams own. Mr. Paul explained the gray line on the cover page showing the actual "mother" lot and the "original" Riverview lot. Mr. Stanley said they are proposing a private gravel drive to the new lots. Mr. Venell noted a hammerhead turnaround on the sketch. Ms. Adams said the main reason they are doing this now, is that one of their sons is ready to build and they would like to give him a lot. Mr. Venell and Mr. Paul discussed whether it be considered a revision to a subdivision or a new subdivision. Mr. Venell said to Mr. Paul it looks like a new subdivision as opposed to an extension. Mr. Paul stated it technically is an extension but should be considered new subdivision. Mr. Cashin questioned if there are any deed restrictions with regard to further subdividing. Mr. Venell said he believes there is and continued by stating since it will be considered a new subdivision (stand alone) we will need a real plan with contour lines etc., a name for the subdivision (not extension), but a road name. He also said it should include flood zones. Mr. Cashin stated they should check with Lorraine in Assessing and the E911 Coordinator, Mr. William Catanesye as to naming the road. Mr. Venell informed the Adams that the Board would require some sort of agreement as to it being a private road and who would perform the maintenance etc. Ms. Adams mentioned thoughts of an association being formed. Mr. Paul said now a days when people get mortgages, it is one of the first thing they inquire about is road maintenance. Mr. Paul asked Mr. Stanley if the road was flagged yet and he replied that he had not flagged the property as he wanted to get through the preliminary meeting with the Planning Board first. Mr. Venell asked what the property is like. Mr. Adams said it is all pretty flat, the river side drops down. Mr. Stanley said there is a slight slope down to about 100-200 feet toward the river and slopes 15-12 feet down to a plain. Mr. Venell said that area is in shoreland and resource protection districts and we will need that line on here. It also is going to limit

where you can build a house. Mr. Stanley said yes, there is a 100-year flood zone there that he would be depicting and wetlands. Mr. Adams said the best building area is close to the road. Mr. Paul said the big thing is the contours and the flood zone. Mr. Cashin informed the Adams that we consult with Southern Maine Regional Planning on subdivision. Mr. Venell explained that we send copies of everything that is submitted for their review according to our ordinance. Mr. Stanley said the main reason for tonight was to conceptually get everyone on board with what the Adams want to do and that as long that nothing glaring jumps out we would get the engineering work done, boundary lines that need to be depicted and get the survey work out of the way as far as topography. Mr. Cashin said it may save you money if you run this up to J.T. Lockman (S.M.R.P.C.) as we haven't done sub-division in ages. Mr. Venell said he doesn't see any big problems or anything. Mr. Stanley said when he first looked at the project he was concerned with sight distances but the way they have the gravel road set there is no issue with it. Mr. Paul said there should be an issue with this situation. Mr. Venell explained to Mr. Adams who J.T. was and what they do for us; ordinances, review plans, etc. He continued by saying that they look at all our sub-divisions and review our ordinances and if they have any issues or questions, they make a list for us and then we discuss them with the developer. Mr. Stanley said it is a resource for the Town. Ms. Gallagher asked if we need to set up an escrow. Mr. Venell said not yet, we are still in the preliminary process. Mr. Cashin suggest we make a motion to utilize S.M.R.P.C. and Mr. Venell said it is in the ordinance and any costs we incur with any outside consultants if deemed necessary is on the developer. Once we get all we need along with the application, the road name, subdivision name, copy of the deed and whatever else we need we for preliminary plan and you have that stuff together, let the secretary know and we will put you back on the agenda and then we would start the process. Mr. Cashin asked said that would be the sketch plan right. Mr. Venell said it could be or it could be sketch plan and preliminary if they have everything we need. Mr. Stanley said as far as the sketch plan process, it is listed out and felt they met those requirements and so the real preparation begins. Mr. Venell said the main reason the PB will take a site walk is to figure what contours would be best put on the map. He then checked with Mr. Paul and said what every five foot (5'). Mr. Stanley said that he would be collecting enough data out there to anywhere in that range. He continued by saying he needs a specific elevation for the flood zone and that shouldn't be any problem. Mr. Stanley said they could be ready for a site walk at any point even while the other preliminary stuff is going on. Mr. Cashin said we are required to do a site walk within 30 days. Mr. Venell asked if they would be ready by the October 22nd and it was decided to go with that date before the upcoming hunting season. Mr. Paul suggested they come back on October 20 Planning Board meeting. Mr. Stanley said there is a lot to prepare with the soils and would like to go with the October 22. Mr. Venell said you don't have to come in on the 20th. It was decided to hold a site walk on October 22nd at 10:30 and to meet at the cul-de-sac. Mr. Cashin asked if Mr. Stanley could flag the building envelope for the house that would be built first. Mrs. Adams said she wasn't sure which lot her son would want but it was agreed that the corners would be flagged of the approximate site for a house. Mr. Paul said the building envelope for all four lots would be good, not where the house will go but just the building envelope. Mr. Venell said yes, but that is asking a lot by the 22nd. Mr. Cashin said they may want to check with the road commissioner about the hammer head (turn around). Mr. Venell said this is what is required now and the engineer will figure that out by specification of the subdivision.

Code Office – No new business.

UNFINISHED BUSINESS – **Proposed Storm Water Ordinance** – Mr. Cashin said he felt it was time to start digging into the proposed Storm Water Ordinance document prepared through a grant by F.B. Environmental before time gets away. Ms. Donnell questioned what he meant by digging in and he replied that the PB should start getting familiar with the document over the fall and winter. He continued by saying he had not looked over the document himself, he suggested maybe the PB could cover some of the document at each meeting going forward and then meet with Forest Bell and/or Jen Jespersen of F.B. Environmental with any questions and possibly consider putting the Ordinance on the June 2012 Warrant for Town Meeting. Ms. Donnell said it is mostly based on China Lake. This was the project we started last fall with Wakefield. Mr. Venell asked if she

(Jespersen) Piscataquis Estuaries and A.W.W.A. were involved. Mr. Cashin responded yes and said Wakefield did not embrace the project and hopefully we can be a model for them. He would like to break the document up in pieces and have it ready for next Town Meeting, June 2012. He continued by saying he would like to know if there is money in the budget to come and confer with the PB. He said he felt the ordinance should be brought up to the surface and on the agenda this fall and winter to see if it is worth going forward. Mr. Venell said we need to see what has already been addressed either the Town or through the State as it can't all be new information. Mr. Cashin said they were working with the new proposed Zoning Ordinance in front of them when they devised this document. He said it may seem repetitious but may be new. Mr. Cashin said it would nice to get a few of the documents referenced within the proposed document such as the Low Impact Development Guidance Manual for Maine Communities and the D.E.P. Maine Stormwater Management/Erosion and Sediment Manual. He said one other reference is the Best Practices Manual also by the D.E.P. Another piece discussed at the Town level since the Comp Plan of 1991 was the getting a sense of the phosphate thresholds that are applicable to all of the great ponds before we are in trouble so that we have some sort of base line for each lake. Mr. Venell asked if that had been done and Mr. Cashin responded the data has been collected but it has not been implemented as a tool. He said generally how it works is, each lake has a proposed threshold of phosphate that it can tolerate annually. You have to make sure you stay within those parameters. He continued by saying it be interesting to have the excavators in town involved in this because a lot of this is what they go through with the DEP. Mr. Paul spoke up saying looking at some of the practices like the patios, say when you are using too much of your lot coverage, there are alternatives being used already like porous pavers, porous concrete and porous patio blocks, it's just requiring the implementation. Mr. Cashin said the reason he feels strongly that we should be looking into this as we are always going to be experiencing development in the shoreland zone and it is never going to stop raining and we have use the best tools and technologies available to maintain our lake quality. He then asked if we could try to get through a portion of the ordinance at each PB meeting. Ms. Donnell said maybe there needs to be procedures. Mr. Cashin suggested everyone read the July 6th memo and attachments. Mr. Venell said we should try to get through Section 1 through 1.5.2.1 (up to Section 2) for the next meeting. We are going to want to get through this whole document first, have our questions in hand before we invite FB Environment to come down and answer all of our questions. We need to get our questions laid out and then we can send the questions out to them and see if and when they need to meet with the PB, rather than having them come and we don't have our questions ready. Let's get up to Section 2 and have any questions in the Ordinance ready, issues or problems highlight or anything you want to discuss, then we can send an email and go from there. Mr. Venell said the next meeting is scheduled for October 20, 2011 and we may have a new member. Mr. Cashin asked; so that we can have a more engaged and active board would you consider contacting Bob Kane to see what is going on and why he hasn't been making the meetings. Mr. Venell replied we will find out what Bob's story is.

ADJOURNED – 8:45 pm