

Town of Acton, Maine

Planning Board Meeting

MEETING MINUTES

DATE: May 19, 2016

ROLL CALL:

Members Present: Bob Smith - Chairman
Tom Cashin – Vice Chairman
Yoli Gallagher
Gavin Maloney
Leslie Berlan, Alternate
Skip Scott – Alternate

Absent: Jessica Donnell (excused)

Also present: Ken Paul, CEO, Brenda Charland, Recording Secretary; Virginia Deboer, Video Recorder, Matt Pepin, Carl Davis

The meeting was convened by the Chairman at 7:00 p.m. He declared a quorum and stated that in the absence of Jessica Donnell, Skip Scott will be the voting alternate.

Approval of Minutes: Moved by Yoli Gallagher, seconded by Tom Cashin, to approve the Minutes of the Meeting of May 5, 2016 as written. The motion passed 5-0.

The Chairman updated the Board members by stating that both articles, 4.2.2.6 (a) and 4.2.2.6 (b) were approved by the Board of Selectmen and will be included on the Annual Town Meeting Warrant as separate articles.

Also, the discussion around reviewing the Ordinance regarding applying for permits during an emergency situation revealed that the Ordinance includes verbiage that covers that need so no further review will be necessary.

Code Enforcement:

- Mathew Pepin re Revision of Gravel Extraction Conditional Use, H Road, Map 207, Lot 005: Mr. Paul noted that Mr. Pepin is present to discuss the application process for a Conditional Use Permit for expanding gravel extraction at an existing pit on Hanson Pond.

Mr. Pepin explained that he and members of the Acton Three Rivers Land Trust have been discussing the possibility of selling an area within the thousand foot buffer of Hanson Pond to the Trust. The Pepin operation would reserve mining rights to that area in addition to the thirty-five acres that is currently approved for extraction. There are a total of three parcels that would be transferred to the Land Trust as identified on the map as CRD2, CRD3 and CRD4. CRD1 is an area that the applicants are seeking

to gain approval to add to the existing approved site. Mr. Pepin stated that they realize that sites marked as CRD7 CRD8 and CRD9 are within the Town of Acton's Resource Protection District as well as the Little Ossipee River Offset; CRD6 is located in the Town of Acton Resource Protection only. The applicant is seeking a Conditional Use Permit to extract less than 10,000 per year from these sites within the Resource Protection area and the 750 offset within the Little Ossipee District as allowed in the Zoning Ordinance; he is requesting a waiver of that requirement. He noted that the Saco River Corridor Commission requires that any activity within five hundred feet of a waterbody requires a permit from that entity and extraction can take place to within one hundred feet with approval.

Mr. Davis stated that this proposal would provide the opportunity to preserve open space that is becoming increasingly scarce on the water bodies within the Town. Mr. Paul noted that Hanson Pond consists of about 22 acres of water which also connects with other larger ponds.

In response to Skip Scott's question regarding widening the existing road, Mr. Pepin stated that the road would not be changed though some trees may be limbed and some of the pot holes filled. Otherwise, resurfacing would not be necessary.

Mr. Paul noted that 10,000 yards consists of an area 100 feet by 100 feet by 25 feet deep.

Tom Cashin made the recommendation that the Board consider the request after the DEP permitting process has been completed. Matt Pepin will provide DEP documentation to the Board regarding the road requirements, the area around the marsh which requires a zero offset, and other permitting requirements from the DEP and the Saco River Corridor Commission.

- Best Practical Location Application, Elizabeth and James Kittredge, 121 Stonewall Drive, Map 128, Lot 002: Mr. Paul explained that the applicants are seeking to construct a shed dormer which will allow the installation of a set of stairs with access to the second floor on a structure located approximately fifty feet of the high water mark within the 30% allowable expansion. A shed on site will be removed to allow for the dormer.

Moved by Tom Cashin, seconded by Skip Scott, to approve the application as submitted with the condition that the property owner revegetate the area where the shed will be removed. The motion passed 5-0.

- Best Practical Location Application, Chris and Michelle Leclerc, 53 Middle Road, Map 148, Lot 005: Ken Paul explained to Board Members that the Best Practical Location consideration for this property was triggered by the need to remove 50% of the assessed value. The property owner recently purchased the property and the renovations required to bring the structure up to code will exceed the 50%. The new septic system will be relocated per the design and because it's in close proximity to neighbors' well, a State Variance is required. No trees will be removed.

Moved by Gavin Maloney, seconded by Skip Scott, to approve the application as submitted with the condition that all stormwater mitigation practices are followed including drip line trenches, revegetate the current septic area, remove the concrete pad, install infiltration steps, and install the pre-treatment septic system. The motion passed 5-0

Adjournment: The Chairman adjourned the meeting at 8:37 p.m.