

Town of Acton, Maine

Planning Board Meeting

MEETING MINUTES

DATE: July 6, 2017 (**approved July 20, 2017**)

ROLL CALL:

Members Present: Bob Smith – Chairman
Tom Cashin – Vice Chairman
Yoli Gallagher
Gavin Maloney
Leslie Berlan, Alternate
Lincoln Marston, Alternate

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia Deboer, Video Recorder; Brett Martin, Corner Post Surveying; Van Hertal; Cheryl Crocker

The Chairman convened the meeting at 7:00 p.m.

Approval of Minutes:

Moved by Tom Cashin, seconded by Gavin Maloney, to approve the Minutes of the Meeting of June 16, 2017, as written. The motion passed 5-0.

Old Business:

- **Van Hertel Four-Lot Subdivision Application, Route 109 / Milton Mills Road, Map 241, Lot 006:** Mike Todd, Corner Post Surveying, representing the applicant reported that Mr. Hertel verified that an agreement for right-of-way access to the Groshans' property at 286 Apple Valley Lane as discussed at the Public Hearing on June 16th does not exist.

Ken Paul noted that he recommends approval of the application based on the fact that the lots are so large and that any application for a use other than single-family residential would come before the Planning Board for consideration.

Board Members reviewed the Standards outlined in Section 6.6.3.7 of the Zoning Ordinance:

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| a. The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat; | <u>Yes</u> |
| b. The use will conserve shore cover and visual, as well as actual, access to water bodies; | <u>N/A</u> |
| c. The use is consistent with the Comprehensive Plan; | <u>Yes</u> |
| d. Traffic access to the site meets the standards contained in this Ordinance; and traffic congestion has been addressed in accordance with performance standards in this Ordinance – <i>DOT Entrance Permits have been obtained;</i> | <u>Yes</u> |
| e. The site design is in conformance with all municipal flood hazard protection regulations; | <u>Yes</u> |
| f. Adequate provision for the disposal of all wastewater and solid waste has been made; | <u>N/A</u> |
| g. Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made; | <u>N/A</u> |

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| h. A storm water drainage management system capable of handling a twenty-five (25) year storm without adverse impact on adjacent properties has been designed; | <u>N/A</u> |
| i. Adequate provisions to control soil erosion and sedimentation have been made; | <u>N/A</u> |
| j. There is adequate water supply to meet the demands of the proposed use and for fire protection purposes; <i>Sprinkler systems are required as stated in the plan;</i> | <u>Yes</u> |
| k. The provisions for buffer strips and on-site landscaping provide adequate protection to neighboring properties from detrimental features of the development, such as noise, glare, fumes, dust, odor, and the like; | <u>Yes</u> |
| l. All performance standards in this Ordinance, applicable to the proposed use will be met; | <u>Yes</u> |
| m. Archeological and historic resources, as designated in the Comprehensive Plan, will be protected. | <u>NA</u> |

Moved by Tom Cashin, seconded by Lincoln Marston, to approve the application as submitted by Van Hertel with waivers as approved at the June 15th meeting. The motion passed 5-0 and five Board Members signed the plan to be recorded by the applicant.

New Business:

- **Best Practical Location Application** – Phil Plourde, 143 7th Street, Map 151, Lot 009, applying to relocate existing structure, place in on a full foundation and construct an addition: Mr. Paul explained that the property owners are applying to construct a foundation behind the existing structure and then relocate that building onto the foundation. This move would increase the structure from fifteen feet to forty feet from the shoreline. The proposed addition is within the thirty percent allowance.

Moved by Tom Cashin, seconded by Yoli Gallagher, to approve the application with the conditions that no trees be removed, the footprint of the original site of the structure be revegetated and that all affective stormwater mitigation practices be used.

Code Enforcement: Cheryl Crocker, co-owner of Irontails, spoke with the Board regarding holding a weekly Farmers’ Market at their site, 559 Route 109, on Tuesdays afternoon from 3:00 to 6:00 p.m. beginning on July 11th through October. She explained that she set up a Facebook page in order to seek possible vendors. She stated that she hoped for fifteen to thirty vendors; currently she has identified possibly ten interested parties that would offer in addition to produce, handmade soaps, oils, etc.

Ms. Crocker stated that a copy of the vendors’ liability insurance and state license would be required. Ken Paul noted that any issue that might arise, such as trash, etc., would be the responsibility of the property owners.

Bob Smith expressed concern that without limitations, this could grow into a flea market. Ken Paul stated that it could take a few weeks to determine exactly how many regular vendors will be included and what items will be offered for sale. He requested a list from the property owners in advance of the first market on the eleventh.

Ms. Crocker agreed that only one “farmers’ market” sign would be posted and taken down after each event.

Tom Cashin expressed concern that there be a clear delineation of parking. Ms. Crocker noted that Tuesday afternoons are typically not busy for the restaurant so parking should not pose a problem.

Mr. Paul stated that the sale of produce is a permitted use but that this use is not included in the Conditional Use Permit held by Irontails. He suggested approving the request based on a limit of fifteen vendors until the August 3rd meeting when more information will be available to review in considering a possible Conditional Use Permit. Ms. Crocker agreed to contact the Land Use Department on July 19th or 20th after two markets were held with an update.

Consensus of Board Members was to approve the request temporarily to be included on the Agenda of the August 3rd meeting.

Other: The Chairman reported that Skip Scott has resigned from his position on the Planning Board and requested that if Members are aware of anyone interested in serving, please ask them to contact Jennifer Roux.

Adjournment: The Chairman adjourned the meeting at 7:49 p.m.