

# Town of Acton, Maine

## Planning Board Meeting

### MEETING MINUTES

**DATE:** September 21, 2017 (approved October 5, 2017)

**ROLL CALL:**

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

Members Absent: Joyce Bakshi, Alternate

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia Deboer, Video Recorder, Richard Labore, Andrea Brown, Susan Oliveira

**Public Hearing:** The Chairman opened the Public Hearing at 7:00 p.m. regarding the Conditional Use Application submitted by Richard Labore to establish an event facility at 250 Milton Mills Road, Map 241-006-04. Mr. Labore explained that he is applying to build a “rustic barn wedding venue” on the site with their primary residence built at some point. The facility will not offer overnight options, there will be no kitchen facility on site, however a food preparation area will be provided, and no camping will be allowed. He stated that they are hopeful that the venue will offer many opportunities to the community with no negative affect.

The Chairman asked for comments, questions or concerns; hearing none he closed the Public Hearing and convened the regular meeting 7:04 p.m. and declared a quorum.

**Approval of Minutes of September 7, 2017:** Moved by Tom Cashin, seconded by Leslie Berlan, to approve the Minutes as written. The Chairman noted that the votes recorded for the four Best Practical Location applications for Glidden, Tramuto, Orr and Aufiero were four members in favor, one abstention. Mr. Smith explained that the votes were actually three members in favor of approving the applications, with two abstentions because Tom Cashin and Gavin Maloney were not able to attend the site visits so they both abstained. Approval of the Minutes of the Meeting of September 7<sup>th</sup> as amended passed 5-0.

**Alternate Designation:** The Chairman explained that going forward, in order to keep better records of the alternates voting, at the first meeting of the month, if a regular member is absent, Linc Marston will vote and at the second meeting of the month, Joyce Bakshi will vote.

**Old Business:**

**Richard Labore, 250 Milton Mills Road, Map 241-006-04 Conditional Use Application:** Tom Cashin asked the applicants if they intend to mitigate the oil spill that exists on the site. Mr. Labore assured the Board that the spill will be dug out and replaced with clean material.

Board Members discussed the proposed driveway. Mr. Smith expressed the opinion that the culvert needs to be replaced. He also noted that there is a downhill approach from the site to Milton Mills Road. Mr. Labore stated that he will work with the CEO in designing a driveway that will encourage slowing down before approaching the road.

Board Members reviewed the Standards as 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;                                   | <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>Yes</u> |
| g. Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made;  | <u>Yes</u> |
| h. A storm water drainage system capable of handling a twenty-five (25) year storm, without adverse impact on adjacent properties has been designed;   | <u>Yes</u> |
| i. Adequate provisions to control soil erosion and sedimentation have been made; the Acton Wakefield Watershed Alliance group previously designed stormwater mitigation for the site;                                  | <u>Yes</u> |
| j. There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes;   | <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>N/A</u> |

Moved by Tom Cashin, seconded by Leslie Berlan, to approve the Conditional Use Application to establish a wedding venue facility at 250 Milton Mills Road with the following conditions:

- the existing culvert will be replaced;
- the driveway design will be approved by the Fire Chief;
- the DOT Entrance Permit will be obtained;
- the driveway egress will be designed for speed control,
- all stormwater mitigation practices will be used;
- the parking area will be divided with at least two vegetated buffers;
- all excavated loam will be used on site
- crushed stone will be used in the area where the driveway crosses the wet area;
- the noise level will be limited to sixty decibels at all property lines;

- all trash generated will be disposed of properly;
- the parking area will be lit with downward lighting;
- all exterior lighting will be installed in accordance with Section 5.11 of the Zoning Ordinance, Good Neighbor and Design Standards for Proposed Development;
- events will be limited to 249 guests;
- the driveway entrance apron will be paved;
- one staff member for every seventy-five guests will be available to assist with parking, exiting, etc.
- the oil spill area will be repaired;
- the property owners are responsible for the behavior of all guests;
- the property owners will verify that all vendors are insured.

The motion passed 5-0.

**Resource Protection District / Timber Harvesting:** The Chairman reminded Board Members that a site visit has been scheduled for Thursday, September 29 at 6:00 p.m. at 393 Goding Road to meet with Steve Bodkin to review the Town's Resource Protection criteria in comparison with Statewide Timber Harvesting Standards.

**New Business:** No new business was considered

**Code Enforcement:** Ken Paul suggested several areas of the Zoning Ordinance that could be considered in the next several weeks to possibly offer as amendments on the Annual Town Meeting Warrant: additional dwelling units, senior housing, marijuana, signs

**Adjournment:** The Chairman adjourned the meeting at 8:55 p.m.