

Town of Acton, Maine

Planning Board Meeting

MEETING MINUTES

DATE: January 18, 2018 (approved Feb. 15, 2018 with modifications)

ROLL CALL:

Members Present: Bob Smith – Chairman
Tom Cashin – Vice Chairman
Yoli Gallagher
Gavin Maloney
Joyce Bakshi, Alternate

Members Present: Leslie Berlan (Excused)

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia Deboer, Video Recorder; Jane Archambault; Dan Archambault; John Hutchins, Line Pro Surveying, Steve Bodkins, Town Forester

The Chairman called the meeting to order at 7:00 p.m. and declared a quorum.

Approval of Minutes of December 7, 2017: Moved by Yoli Gallagher, seconded by Joyce Bakshi, to approve the Minutes as written. The motion passed 5-0.

New Business:

- **Resignation:** The Chairman reported that Lincoln Marston resigned from his position on the Planning Board. The vacancy will be posted.
- **Dan and Jane Archambault re Proposed Campground, H Road, Map 224, Lot 017:** Ken Paul noted that this presentation is informational only.

Dan Archambault stated that the plan is to build fifty-two sites and four cabins within the fourteen acres that are outside of the Resource Protection areas and buffers that exist on the site. The applicants plan to keep the property as natural as possible. Jane Archambault noted that they do not plan on residing on the property. There are existing logging trails that will be available for walking.

Consensus of the Board Members was that they support the concept and that the applicants should proceed with completing the application.

- **Review Subdivision Regulations:** Ken Paul noted that a contradiction exists between the Subdivision Regulations and the Zoning Ordinance regarding lot size. He stated that the Zoning Ordinance requires in section 5.14.1, Attached Two-family Dwelling Units, that “lots for attached two-family units shall meet all dimensional requirements for single dwelling units, except that the lot area and shoreline frontage shall be equal to that required for an equivalent number of single units”. The Subdivision Regulations defines “subdivisions” in accordance with Title 30A § M.R.S.A. stating that “a lot of 40 or more acres shall not be counted as a lot for the purposes of this definition”.

Mr. Paul proposed striking that section of the definition in order to make the Subdivision Regulations consistent with the existing Zoning Ordinance, therefore, the definition will read:

“Subdivision: The term shall be defined as in Title 30-A M.R.S.A. §4401, sub-§4, as amended.”
~~*Optional addition to this definition: A lot of 40 or more acres shall not be counted as a lot for the purposes of this definition when the parcel of land being divided is located entirely outside any shoreland areas as defined in the Town of Acton Shoreland Zoning Ordinance.*~~

Consensus of the Board was to hold a public hearing to discuss the proposed change to the Subdivision Regulations at the regular Planning Board meeting of February 1st. The Secretary will post the required notices.

- **Discuss Warrant Article regarding Additional Dwelling Units:** Ken Paul asked Board Members if they wish to review the Ordinance to consider allowing construction of Additional Dwelling Units (ADU) in the Zoning Ordinance. If Members agree, he would like to proceed with developing a proposed addition to the Ordinance for consideration at the June Town Meeting. Consensus of Board Members was that he will bring back his proposal to be reviewed at the next meeting.

Tom Cashin noted that Footnote #9 of the Land Use Chart addresses accessory dwelling units. Mr. Paul felt that this footnote covers multi-family dwellings.

Consensus of the Board was that Mr. Paul will bring back the proposed addition to be considered at the Planning Board meeting of February 1.

Old Business:

- **Timber Harvesting in Resource Protection Districts:** The Chairman reminded Board Members that they had approved the proposed changes to the Zoning Ordinance relative to timber harvesting. He noted that the definition was changed, the land use chart was also changed, footnote number four was eliminated and 5.19 was changed in order to bring the Town's criteria inline with the State's standards. Steve Bodkins stated that the State-wide standards are applicable only to the ten acres sites identified as wetlands and the buffers along those areas. He wanted to be assured that the Ordinance is clear that these changes do not affect commercial harvesting throughout the rest of the town. Ken Paul will contact Mike Morse at the DEP to determine that the proposed changes are correct in that regard.

In response to Yoli Gallagher's question regarding the Town of York and Kennebunk's opting to remain as Option #2 Towns, Ken Paul responded that he was told that it's because there is minimal harvesting projects within those towns.

- **Arnie Martel re Proposed Subdivision, Map 216, Lot 003, Buzzell Road:** No action was taken.

Adjournment: The Chairman adjourned the meeting at 8:13 p.m.