

Town of Acton, Maine

Planning Board Meeting

MEETING MINUTES

DATE: April 5, 2018 (approved 4/19/18)

ROLL CALL:

Members Present: Bob Smith
Leslie Berlan
Yoli Gallagher
Gavin Maloney
Donovan Lajoie (Alternate)

Members Absent: Joyce Bashki (excused)
Tom Cashin (excused)

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia Deboer, Video Recorder; Tom Harmon, Civil Consultants;

The Chairman called the Public Hearing regarding the Monarch Mountain Conditional Use Modification application to order at 7:01pm.

Tom Harmon outlined the application for Conditional Use Modification. He reminded the Board that the applicant is requesting approval to extend the crushing operation to no more than 800 hours per year, Mondays through Fridays 8:00am to 4:00pm.

The Chairman asked for questions or comments regarding the application; hearing none, he closed the Public Hearing at 7:06pm.

The Chairman called the Public Hearing regarding the proposed amendments to the Zoning Ordinance at 7:06pm and asked for questions or comments regarding the amendments; hearing none, he closed the Public Hearing at 7:08pm.

The Chairman then convened the regular meeting at 7:08pm.

Approval of Minutes of March 15, 2018: Moved by Yoli Gallagher to accept the minutes as written; Gavin Maloney seconded. The motion passed 3-0-2.

Old Business:

Revisions to Monarch Mountain Minerals Existing Conditional Use Permit: Moved by Gavin Maloney, seconded by Yoli Gallagher, to impose the condition that the original extraction area, which is approximately 11 acres, be replanted or reseeded with native trees, 20' x 20' spacing, within 5 years. The motion passed 3-2.

Board Members reviewed the Standards Applicable to Conditional Uses as outlined in Section 6.6.3.7 of the Zoning Ordinance:

- a. The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat. Yes
- b. The use will conserve shore cover and visual, as well as actual, access to water bodies. N/A
- c. The use is consistent with the Comprehensive Plan. Yes
- 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. Yes
- e. The site design is in conformance with all municipal flood hazard protection regulations. NA
- f. Adequate provision for the disposal of all wastewater and solid waste has been made – *internally drained*. Yes
- g. Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made – *no fuel stored on site*. Yes
- 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 - *the site is internally drained*; Yes
- i. Adequate provisions to control soil erosion and sedimentation have been made-*with the condition that the original extraction area, which is approximately 11 acres, be replanted or reseeded with native trees, 20' x 20' spacing within 5 years*; Yes
- j. There is adequate water supply to meet the demands of the proposed use and for fire protection purposes; Yes
- 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 – *the sound level will not exceed 60 decibels outside of a three hundred foot perimeter of the operations area*; Yes
- l. All performance standards in this Ordinance, applicable to the proposed use will be met; Yes
- m. Archeological and historic resources, as designated in the Comprehensive Plan, will be protected. Yes

Based on the standards of Conditional Use, moved by Yoli Gallagher, seconded by Gavin Maloney to approve the application for Conditional Use Modification extending the crushing operations with the additional condition. The motion passed 5-0.

New Business:

- **Roy, 63 Stonewall Drive, Map 112, Lot 012:** The property owner is applying to demo the existing garage and rebuild a new 24' x 30' structure on a new foundation 8' further from the water.

The Chairman discussed the site walk that the Board did earlier in the day. He explained the location of the current garage and driveway as well as the proposed garage and driveway relative to the lake. Jason Roy explained that the current garage and retaining wall along the driveway are very deteriorated. The Board tabled consideration of the application for further information regarding elevations and grade plans.

- **Croteau, 116 Chipmunk Run, Map 112, Lot 012:** The CEO explained that the property owners are applying to renovate the existing structure on the existing foundation which will result in removing more than fifty percent of the assessed value triggering a Best Practical Location consideration. The CEO stated that the current location of the house is in the best possible location considering the size of the property; he added that unpermitted decks exist which will not be included in the 30% expansion allowance calculations. With the conditions that the property owners reduce the size of the deck and install the usual responsible Storm water Mitigation processes be implemented, Leslie Berlan moved to approve the application, which was seconded by Gavin Maloney. The motion passed 4-0.

The CEO suggested scheduling a site walk at 971 Hopper Road, Map 235, Lot 011 to review a Conditional Use Permit application to establish an automotive repair facility submitted by Richard Bleakney. Consensus of Board Members was to meet on Thursday, April 19th at 6:00pm prior to the regular meeting to visit the property.

The Chairman announced there will be a workshop for MMA on July 26, 2018 that might be suitable for new members. Board Members should contact the Building Department if they are interested in attending.

Adjournment: The Chairman, adjourned the meeting at 8:28 p.m.