

Town of Acton, Maine

Planning Board Meeting

MEETING MINUTES

DATE: May 3, 2018 (Approved May 17, 2018)

ROLL CALL:

Members Present: Bob Smith, Chairman
Tom Cashin
Leslie Berlan
Yoli Gallagher
Gavin Maloney
Joyce Bakshi, (Alternate)
Donovan Lajoie (Alternate)

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

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

Approval of Minutes May 3, 2018: Moved by Gavin Maloney, seconded by Yoli Gallagher, to approve the Minutes of the Meeting of April 19, 2018 as written.

The Chairman noted that in discussing the Marijuana Committee's report to the Planning Board, there was discussion about whether concerns regarding commercial marijuana activities in town may already be addressed in the existing Zoning Ordinance. Consensus of Board Members was that sign regulations and the "Good Neighbor" policy, especially regarding smell, should be included on upcoming Planning Board agendas during the coming year with the possibility of offering proposed amendments at the Annual Town Meeting in June, 2019. The Chairman requested that this discussion be included in the "Other" section of the Minutes.

The motion to approve the Minutes as amended passed 4-0-1.

Old Business:

- **Richard Bleakney, 971 Hopper Road, Map 235, Lot 011:** Conditional Use Permit Application to establish an automotive repair facility in Rural Zone – Public Hearing set for May 17, 2018 @ 7:00 p.m.

Gavin Maloney noted that a portion of the property is within the Aquafer Protection District and wondered if a Site Plan Review would be appropriate in reviewing this application. Ken Paul stated that the use that the applicant is proposing was the use that existed previously so no major site changes are proposed, such as driveway expansion, construction of new buildings, well, etc. Joyce Bakshi remembered that the application stated that the expectation is that four vehicles would be for repair, perhaps two for sale, so storage will be minimal and would be primarily inside the building.

Bob Smith thought that one of the Board's conditions could be that any vehicles onsite would be parked behind the building out of the Aquafer Protection District.

Gavin Malone expressed concern that because the site was previously a gravel pit, the base level

of the gravel might only be five to ten feet above the aquifer level and it is a sensitive site.

Mr. Maloney read section 6.6.4.7.15, Water Quality Protection of the Zoning Ordinance: *“All aspects of the project must be designed so that:*

- a) No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness, or be harmful to human, animal, plant, or aquatic life.”*

Mr. Maloney expressed concern about untreated solid matter such as metal filings, etc. more than motor oil. Mr. Paul stated that his understanding is that most of the repair activity would take place inside the building.

Tom Cashin suggested requiring a hydrology report in order to get a sense of the current condition of the aquifer. He also expressed the opinion that installing a monitoring well would ensure water quality.

The Chairman stated that it appears that consensus of the Board is that one of the conditions will be that the applicant pour a concrete slab to control substances leaking into the ground.

Board Members requested that the CEO update the applicant on the Board's thinking on this matter.

Monarch Mountain Conditional Use Modification:

Gavin Maloney noted that the amended plan included note #1 under Restoration that *“per Planning Board approval, replanting (restoration) to include replanting or seeding native tree species on the existing original approximate eleven reclaimed acres at 20' x 20' spacing within the next five years.”* Four Board Members (Bob Smith, Tom Cashin, Leslie Berlan and Yoli Gallagher) signed the amended plans dated April 30, 2018.

New Business: No New Business was considered

Other: The Chairman extended an invitation from Three Rivers Land Trust to Board Members to attend their Annual Meeting on May 9th at their office in Alfred at 5:30 p.m. for the opportunity to discuss the direction of the Trust.

Ken Paul suggested that the Planning Board conduct informational meetings at the beginning of the next two meetings, May 17th and June 7th, to offer the public an opportunity to ask questions about the four proposed amendments to the Ordinance. The Land Use Secretary will make the appropriate notices.

Adjournment: The Chairman adjourned the meeting at 7:47 p.m.