

Town of Acton, Maine Planning Board Meeting

MEETING MINUTES

Date: October 17, 2019

Members Present: Joyce Bakshi, Chair
Gavin Maloney
Leslie Berlan
Yoli Gallagher
Donovan Lajoie, Executive Secretary (Alternate)
Dennis Long (Alternate)

Members Absent: Tom Cashin, Vice Chair,

Also present: Ken Paul, CEO; Brenda Charland, Land Use Secretary; Arnie Martel; Joe Stanley, Line Pro; Billy Plante, Charles Crespi, Robin Ham, William Langley,

Call to Order: The Chair called the meeting to order at 7:00 p.m. Donovan Lajoie was assigned the Alternate for the meeting.

Approval of Minutes

- **October 3, 2019:** Yoli Gallagher moved to accept the minutes of October 3, 2019 as written. Leslie Berlan seconded; motion passed 5-0.

Old Business

- **Martel, Youngs Ridge Road, Map 217, Lot 029, Sketch Plan Application for a Proposed 14-Lot Subdivision:** The Chair announced that Mr. Martel requested a 2 week stay. Mr. Martel will be on the agenda for the November 7, 2019 meeting.
- **C.A. Plante, West Shore Drive, Map 230, Lot 006, Mineral Extraction Application;** Joe Stanley of Line Pro explained that there were some modifications to the notes: the additions were “ No Fuel Onsite”, “30 trips per day max”, and the Resource Protection line associated with the brook will be posted with metal signs every 200 feet.

Mr. Plante said that he spoke with the Road Commissioner regarding the painting of the road that the Board requested. He said he was told by the Road Commissioner that he didn't need to paint the road. The Chair asked Will Langley, Road Commissioner, to join the discussion. The Chair asked Mr. Langley why Mr. Plante didn't need to paint the road. Mr. Langley stated he would prefer to stay away from painting lines on the road because even though it is a condition placed on the Applicant, the future maintenance becomes the Town's responsibility.

The Chair asked about the “Trucks Entering” sign. Joe Stanley said there was one on the plan for West Shore Drive. The Chair then asked if there was one to be put on Goose Pond Road. Will Langley stated that he and Mr. Plante discussed putting one on Goose Pond Road.

The Chair stated they will not make the painted lines an issue but would like “Trucks Entering” signs to be put on Goose Pond Road and West Shore Drive.

Gavin Maloney asked if Mr. Plante planning to cut any trees in the 100-foot buffer. Mr. Plante stated presently he is not interested in harvesting trees in the buffer area. Gavin suggested making a note. The Board decided a note was not necessary.

The CEO said that a \$5000 Escrow check would be needed before operations start.

The Chair asked Mr. Plante about the old entrance. He said it will be abandoned and nothing will be done with it.

Board Members reviewed the Standards Applicable to Conditional Use as outlined in Section 6.6.3.7 of the Zoning Ordinance and found the following to be true:

| | | |
|----------|---|-----|
| 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; Use is allowed by zoning and is consistent with 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; | N/A |
| f | Adequate provision for the disposal of all wastewater and solid waste has been made; | YES |
| g | Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made; | YES |
| h | A storm water drainage system capable of handling a twenty-five (25) year storm, without adverse impact on adjacent properties, has been designed; | YES |
| i | Adequate provisions to control soil erosion and sedimentation have been made; | YES |
| j | There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes; | N/A |
| 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; | 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. | N/A |

Leslie Berlan motioned to approve the Conditional Use Permit for C. A. Plante, contingent on the following conditions. Dennis Long seconded, motion passed 5-0.

The conditions for the approved application for C. A. Plante are:

1. No Retail Sales will be Conducted;
 2. Fuel will not be stored on site;
 3. Trucks hauling materials from the site will be limited to 30 per day, maximum;
 4. The Resource Protection area will be posted every 200 feet with metal signs;
 5. "Trucks Entering" signs will be placed on Goose Pond Road and West Shore Drive;
 6. At least three monitoring wells will be installed;
 7. An escrow account will be established with the Town in the amount of \$1000 per open acre.
- **York County Agricultural Association, 13th Street, Map 241, Lot 003, Mineral Extraction Application and Parking Lot Expansion:** Joe Stanley of Line Pro explained they have done a couple test pits and are waiting for the engineers to process the tests to see if anything needs to change regarding the drainage structures. He is hoping to have an update by the next meeting.
 - **Hopper Road Event Rentals, LLC, 189 Hopper Road, Map 234, Lot 046:** No new information regarding Hopper Road Event Rentals. A public hearing is scheduled for November 7, 2019.

New Business:

- **Robert Jones, 187 7th Street, Map 151, Lot 016:** Mr. Jones is applying to demo the existing camp and rebuild a 28' x 28' home on a walkout foundation 48.5 feet from the high water mark. The Chair asked why the property owner can't move the building back more than 48.5 feet, the CEO said there are underground electric lines.

Gavin Maloney moved to approved the Best Practical Location application for 187 7th Street. To demo and rebuild the home no closer than 48.5 feet from the high-water mark. Leslie Berlan seconded; the motion passed 5-0.

Notes from The Chair:

- The Chair announced two Planning Board training workshops organized by Southern Maine Planning and Development Commission, she encouraged members to attend.
- The Chair talked about the changes made to the ordinance that went to the Annual Town Meeting in June. She said the DEP has conditionally approved the changes to the Timber Harvesting Articles with minor verbiage changes.
- The Chair talked about the Planning Board Workshop that was held October 9. She explained Jim Crowley came in to discuss converting an existing building into apartments in the Commercial Zone. The Chairman explained that multiple family dwellings are not a permitted use in the Commercial Zone. The Chair went over the procedure for zoning changes. She also said that zoning changes are not considered for one applicant at this time.
- The Chair discussed the workload of the Planning Board. She explained that the meetings are becoming longer due to more topics on the agenda and there are some larger items that will require more time. She asked for suggestions from the Board on how to handle this. Members discussed ideas and decided to schedule one extra meeting in selected months. Members will notify the Chair or the Secretary if they will be late in arrival or unable to attend.

- The Chair went over good “Boardsmanship”. She asked Members to notify the Secretary if they will be late or unable to attend the meeting. She also asked that at site walks, Members stay with the group. Members may not visit the site unless it is a scheduled site walk.

Adjournment: The meeting was adjourned at 8:46 pm.