

# Town of Acton, Maine Planning Board Meeting

## MEETING MINUTES

**Date:** September 6, 2018

**Members present:** Joyce Bakshi, Chairman  
Tom Cashin, Vice Chairman  
Leslie Berlan  
Yoli Gallagher  
Gavin Maloney  
Dennis Long (Alternate)

**Members absent:** Donovan Lajoie (Alternate)

Also present: Ken Paul, CEO; Brenda Charland, Land Use Secretary; Virginia Deboer, Video Recorder; Dan Archambault; Jane Archambault; Fagan; Richard Levesque; David Levesque

**Call to Order:** The Chairman called the meeting to order at 7:07 p.m. and declared a quorum of regular members.

### **Public Hearings:**

- **Jane and Dan Archambault, Pine Ridge Campground Conditional Use Application, H Road, Map 224, Lot 015-01:** Dan Archambault outlined the scope of the proposed fifty-seven site seasonal campground stating that the plan is to be open from the middle of May to the middle of October, that will be similar in nature to State campgrounds being no seasonal sites, no playgrounds, no accessory structures on the individual sites, no camper storage in the off season, etc. Each site will have water, electrical and sewerage available except for the tent sites.

Marie Kelly asked the location of the site; Mr. Archambault responded that the entrance to the site is on the left side of the road coming from Route 109 just before 497 H Road.

Amanda Walters asked how the project will affect traffic. Mr. Archambault expressed the opinion that while traffic will probably increase slightly on Friday afternoons and evenings, he doesn't expect a significant increase otherwise.

Paul Meader requested that the lots lines be clearly marked so that campground visitors will not wander over to this property. Mr. Archambault explained that all walking trails will be clearly marked.

The Chairman asked if there are any further comments or questions, hearing none, she closed this Public Hearing.

- **Paul Muse: Pre- Application to establish a property maintenance and excavation facility, 15 Muse Lane, Map 229, Lot 025:** Paul Muse stated that the intent of the project is to use the

existing garage to house a property maintenance business. They do not intend to hire any additional employees.

Kathy Belmont asked if there are any plans to expand the structure, machinery, etc. Bob Muse responded that they intend to keep the operation small basically at the level that it is now with no increase in activity on a day-to-day basis except during winter storms when plowing equipment will need to be started and moved.

The Chairman asked if there are any further comments or questions, hearing none, she closed this Public Hearing.

- **Levesque: Conditional Use Application to Conduct Extraction, Hebo Hybo Road, Map 244, Lot 014:** Richard Levesque reviewed their Conditional Use Application to Conduct Extraction on Hebo Hybo Road reopening the existing gravel pit, stating that the materials will be for the use of their excavation company only with no retail sales.

Richard Nass asked about the status of the bridge beyond the cemetery. David Levesque noted that it is actually a culvert and it currently functional.

Beth Cornish noted that she owns the only house on the Acton end of Hebo Hybo road. Her husband maintains the road to their property. She expressed concern that the road would be negatively impacted by equipment accessing the pit. David Levesque responded that they will be improving the first 250 feet of the road.

The Chairman asked if there are any further comments or questions, hearing none, she closed this Public Hearing.

**Approval of Minutes:** Approval of the Minutes of August 16, 2018 was tabled.

#### **Old Business:**

- **Jane and Dan Archambault, Pine Ridge Campground Conditional Use Application:** The applicants are scheduled to return to the Board at their meeting on September 20<sup>th</sup> to review updated information that was received by the Board.
- **Paul Muse: Pre- Application to establish a property maintenance and excavation facility, 15 Muse Lane, Map 229, Lot 025:** Board members set a site visit for Saturday, September 15<sup>th</sup> at 8:00 a.m.

Conditions discussed:

- No retail sales;
- No additional employees;
- No chemicals / hazardous waste storage on site;
- Commercial vehicle sales limited to four;
- Hours of Operations, 6:00 a.m. to 10:00 p.m.;
- No additional lighting

- **Levesque: Conditional Use Application to Conduct Extraction, Hebo Hybo Road, Map 244, Lot 014:** David Levesque noted that the DEP permit process is nearly completed.

Board Members reviewed application and determined that all required submissions have been addressed.

Board Members reviewed Section 6.6.3.7 Required Standards of the Town of Acton Zoning Ordinance and determined the following:

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|---|-------------|
| a) Use will have no adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat. <i>(There is a natural buffer)</i>  | <u>True</u> |
| b) Use will conserve shore cover and visual, as well as actual, access to water bodies.   | <u>N/A</u>  |
| c) Use is consistent with Comprehensive Plan. <i>(The Plan encourages new businesses)</i>   | <u>True</u> |
| d) Traffic access meets standards contained in Ordinance/traffic congestion addressed in accordance w/Ordinance performance standards. <i>(Trucks Entering signs will be posted on Milton Mills Road)</i>   | <u>True</u> |
| e) Site design conforms w/all municipal flood hazard regulations.   | <u>N/A</u>  |
| f) Adequate provision for disposal of wastewater/solid waste.   | <u>N/A</u>  |
| g) Adequate provision for transportation/storage/disposal of hazardous materials are made. <i>(An impervious mat will be used when refueling equipment)</i>   | <u>True</u> |
| h) Storm water drainage for 25-year storm w/o adverse impact on adjacent properties are designed.   | <u>True</u> |
| i) Adequate provisions to control soil erosion/sedimentation. <i>(Revegetation will be done as planned, reclamation will be done as required, conditions include requirement that no loam is to leave the site, all stumps and non-marketable materials will remain on site)</i>  | <u>True</u> |
| j) There is adequate water supply for demands of proposed use and fire protection.  | <u>N/A</u>  |
| k) Provisions for buffer strips/on-site landscaping adequately protect abutting properties from detrimental features of development (such as noise/glare/fumes/dust/odor/etc.). <i>(required contouring of the excavation creates internal drainage; noise kept to 60 decibels at property lines; hours of operations are limited; crushing operations are limited)</i> | <u>True</u> |

l) All Ordinance performance standards applicable to proposed use will be met. True

m) Archeological/historic resources designated in the Comprehensive Plan will be protected. True  
(Applicants have been made aware of the cemetery and stone wall)

Moved by Gavin Maloney to require that the entrance onto the Milton Mills road be paved twenty feet from the road. The motion failed for lack of a second.

Moved by Tom Cashin, seconded by Gavin Maloney, to add the condition that a 30' apron of reclaimed asphalt be established at the Milton Mills Road and an adequate dust mitigation plan be used. The motion passed 3-2.

Moved by Lesley Berlan, seconded by Tom Cashin, to approve the Conditional Use Permit Application with the following conditions:

1. Noise levels will not exceed 60dB at the property lines;
2. Stumps will be ground onsite, all unmarketable material will be used for revegetation purposes;
3. Only clean material is to be trucked onto the site;
4. No loam will leave the site;
5. Truck trips will not exceed 40 per day;
6. Crushing will be limited to 200 hours per year, Monday through Friday, 8:00 a.m. to 4:00 p.m.;
7. DEP approval will be acquired and copies submitted to the Building Department Office;
8. No fuel will be stored on site; an impermeable pad will be used during equipment refueling;
9. A "trucks entering" signage will be posted on Milton Mills Road;
10. No trucks will pass in front of the school during the period that "20 miles per hour" flashing lights are used;
11. Hebo Hybo Road will be upgraded along the 250-foot road frontage with stormwater mitigation and dust control practices integrated;
12. A 30' apron of reclaimed asphalt be established at the Milton Mills Road and an adequate dust mitigation plan;
13. Monitoring wells will be installed;
14. A gated entrance with a knock box will be installed;
15. An insurance binder and an escrow deposit of \$1,000 per open acre will be submitted;
16. An excavation annual report will be submitted to the Building Department as required;
17. All approved plans will be kept on site.

The motion passed 5-0.

**Housekeeping:**

- Bylaws review: The Chairman noted that Lee Jay Feldman of the of Southern Maine Planning Development has offered any assistance that may be needed in developing the new Planning Board Bylaws.

A sub-committee has been developed to begin the by-law review at workshops during the day, beginning in October.

- Comprehensive Plan familiarity

The Chairman asked that Board Members, in the interest of saving meeting time, read the Minutes prior to the meeting as well as reviewing any materials submitted by applicants.

Also, she requested that Members try to speak through the chair, raising their hands to be acknowledged, so that recording Minutes will be easier.

With no further business before them, the Chairman adjourned the meeting at 8:50 p.m.