

# Town of Acton, Maine Planning Board Meeting

February 4, 2021, 6:00 p.m.

Approved February 18, 2021

## MEETING MINUTES

**Members Present:** Christopher Whitman, Chairman; Gavin Maloney, Vice-Chair; Dennis Long, John Qua, Frank Kunkel (Alternate), Patricia Pearson (Alternate)

**Absent:** Jim Driscoll

**Also Present:** Michael Gilpatrick, Director of Planning; Kristiina Robinson, Land Use Secretary; Virginia Deboer, Video Recorder; Ben Smith, NorthStar Planning; Tom Harmon, Civil Consultants

**Call to Order:** The Chairman opened the Planning Board Meeting at 6:05 p.m.

**Designate Alternate:** Pat Pearson was named the Alternate for the meeting.

**Approval of Minutes:** Dennis Long moved to approve the minutes of January 7, 2021 as written. Seconded by Gavin Maloney, motion passed 5-0.

### **Old Business:**

- **Conditional Use Application submitted by Seth McCoy, H Road, Map 207, Lot 001:** Tom Harmon of Civil Consultants reviewed the final plan submitted by Seth McCoy, which included the following changes:
  1. Note 2 of the Hours of Operation states "SAT: 7AM to 12PM (Maintenance and Loading)
  2. Note 3 of the Hours of Operation states "No Saturday Trucking is Allowed from Memorial Day to Labor Day. Crushing is not allowed from Memorial Day to Labor Day.
  3. Note 1 of SPCC Notes states "Up to 500 Gallons of Equipment Fuel may be kept onsite in compliance with MEDEP Regulations. An impermeable refueling pad shall be used for refueling."

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:

|          |   |     |
|----------|---|-----|
| <b>a</b> | The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat;     | YES |
| <b>b</b> | The use will conserve shore cover and visual, as well as actual, access to water bodies;                              | YES |
| <b>c</b> | The use is consistent with the Comprehensive Plan; Use is allowed by zoning and is consistent with Comprehensive Plan | YES |

|          |   |     |
|----------|---|-----|
| <b>d</b> | 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 |
| <b>e</b> | The site design is in conformance with all municipal flood hazard protection regulations;   | YES |
| <b>f</b> | Adequate provision for the disposal of all wastewater and solid waste has been made;  | N/A |
| <b>g</b> | Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made;  | YES |
| <b>h</b> | A storm water drainage system capable of handling a twenty-five (25) year storm, without adverse impact on adjacent properties, has been designed;  | YES |
| <b>i</b> | Adequate provisions to control soil erosion and sedimentation have been made;   | YES |
| <b>j</b> | There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes;   | N/A |
| <b>k</b> | 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 |
| <b>l</b> | All performance standards in this Ordinance applicable to the proposed use will be met;   | YES |
| <b>m</b> | Archeological and historic resources, as designated in the Comprehensive Plan, will be protected.   | N/A |

The CEO requested that Mr. McCoy set up an on-site meeting to verify that the Shoreland Zone has been delineated.

Moved by Dennis Long, seconded by Gavin Maloney, to approve the application submitted by Seth McCoy. The motion passed 5-0 and five Board Members signed the plan.

**New Business:**

- **Robert and Jennifer Taylor, 800 Lakeside Drive, Map 117, Lot 028, Best Practical Location Application:** Mr. and Ms. Taylor submitted an application asking to demo the first floor of their existing house and rebuild with a second-floor addition and third floor loft.

Moved by Gavin Maloney, seconded by Dennis Long, to approve the application to reconstruct the dwelling in the same location with the conditions that a certified plot plan be submitted to

the Code Enforcement Officer before issuance of the building permit and that a revegetation plan will be established. The motion passed 5-0.

- **Proposed Changes to the Town of Acton Zoning Ordinance:** Ben Smith, Planner for NorthStar Planning, explained proposed changes to the Zoning Ordinance relative to Good Neighbor, Timber Harvesting, Structures over Water, Storage Buildings and Short-term Rentals. Consensus of the Board was to submit five changes, but that more discussion was needed before submitting final drafts to go to Town Meeting in June.

Moved by Dennis Long, Seconded by John Qua, to submit five changes to be included in the Warrant at the Annual Town Meeting. Motion passed 5-0.

**Adjournment:** Pat Pearson moved adjourned the meeting at 8:35 p.m. John Qua seconded; motion passed 5-0.