

Town of Acton, Maine
Planning Board Meeting Minutes
Date: March 9, 2023

Members Present:

Chris Whitman (Chairman), Gavin Maloney, John Qua, Ryan Gleason, Adam Brock (Designated Voting Alternate), Chelsea Kenyon (Alternate, Not Voting)

Also Present:

Jason Sevigny (Acton Code Enforcement Officer)

Absent:

Patricia Pearson

Pledge of Allegiance

Approval of Minutes:

Gavin Maloney – Motion to accept the minutes from March 2, 2023 as corrected.

John Qua – Second the Motion. Motion Passed 4 – 0. (Chris Whitman and Adam Brock abstaining as they were not present at the March 2, 2023 meeting.)

New Business:

The March 9, 2023 Planning Board meeting was closed to any new business.

Old Business:

Round table discussion around proposed Zoning Ordinance changes.

Planning Board began their review of the proposed Zoning Ordinance changes around Procedure and Public Hearings 6.6.3.4. The Code Enforcement Officer informed the board that there were no issues brought to light by the town attorney around the proposed Procedure and Public Hearing Ordinance change and that the Planning Board could move forward with presenting that proposal to the Select Board if they chose.

John Qua – Motion to submit the proposed Zoning Ordinance change at 6.6.3.4 to the Select Board.

Adam Brock – Second the Motion. Motion Passed 5-0.

The town attorney's comments around the proposed Zoning Ordinance change relative to Solar Energy Systems was reviewed next by the Planning Board. The board began by identifying a couple grammatical errors. The board then held a discussion around the comments made by the town attorney about language already present in the ordinance in relation to non-existing structures with solar systems installed. The board continued by discussing whether or not that wording needed to be changed to new structure or ground mounted arrays. After the discussion it was determined that changing the vernacular from non-existing structure to new or ground mounted was not necessary.

John Qua – Motion to send the proposed amendments to the Zoning Ordinance relative to Solar Energy Systems to the Selectmen with the comma correction.

Adam Brock – Second the Motion. Motion Passed 5 – 0.

The proposed change relative to Conditional Use Permits, Zoning Ordinance 6.6.3 was addressed next. The legal council for the town informed the Planning Board via written comments, that it would place an added burden on themselves to have to review every Conditional Use Permit that changes hands and that it would be more pertinent to simply make it a condition of approval on the more problematic applications because of intensity, ensuring that those particular Conditional Use Permits come back before the Planning Board for review when they change hands.

Following discussions around the comments provided to the board from the legal counsel, there were some changes in the literature made to the proposed change in Zoning Ordinance 6.6.3.

John Qua – Motion to forward the proposed amendment to Zoning Ordinance relative to Conditional Use Permits at 6.6.3.2 as amended.

Adam Brock – Second the Motion. Motion passed 5 – 0.

The final proposed Zoning Ordinance change to be reviewed by the Planning Board was relative to Mineral Exploration and Extraction in ordinance section 5.9. It was quickly determined that the title of the proposed Zoning Ordinance change needed to be adjusted as it did not relate to Conditional Use Permits but more to Mineral Extractive Industry. After changing the proposed title, the Planning Board addressed the other concerns presented via written memo from the town's attorney and adjusted the proposed ordinance change accordingly. The Planning Board also made some changes to the format of the proposed ordinance change in an attempt to streamline the article for clarity and to align with the formatting of the existing Acton Zoning Ordinance.

John Qua – Motion to forward the proposed amendment to the Zoning Ordinance relative to Mineral Extractive industry.

Adam Brock – Second the Motion. The Motion Passed 5 – 0.

The remainder of the Planning Board meeting consisted of round table discussions around the time line related to the proposed amendments being presented to the Select Board and the Town of Acton.

John Qua – Motion to schedule a public hearing on the proposed ordinance changes on the 13th of April, 2023.

Adam Brock – Second the Motion. Motion Passed 5 – 0.

Pending Projects:

- **Sasha Smith: 660 Hopper Road. Map 235; Lot 036. Application for Conditional Use for In Home Day Care.**
- **David Pepin: H Road, Map 220; Lot 007 & West Shore Drive, Map 221; Lot 003. Mineral Extraction.**
- **Elias Thomas: 318 Route 109. Map 147; Lot 010. Application for Conditional Use for Commercial Office Space.**

John Qua – Motion to adjourn the Planning Board meeting.

Adam Brock – Second the Motion. Motion Passed 5 – 0.