

Town of Acton, Maine
Planning Board Meeting Minutes
Date: April 20, 2023

Members Present:

Chris Whitman (Chairman), Patricia Pearson, Adam Brock, Chelsea Kenyon

Also Present:

Jason Sevigny (Acton Code Enforcement Officer), Dave Riley (Land Use Assistant)

Absent:

Gavin Maloney (Vice-Chairman), John Qua, Ryan Gleason

Pledge of Allegiance

Designate Alternates:

Chairman Chris Whitman designates Adam Brock and Chelsea Kenyon as voting alternates for the April 20, 2023 Planning Board meeting.

Approval of Minutes:

Patricia Pearson – Motion to table the Minutes until the next meeting.

Adam Brock – Second the Motion. Motion Passed 4 – 0.

Old Business:

• **Jason Roy: 63 Stone Wall Drive, Map 127; Lot 004. Application for Greatest Practical Extent.**

Jason Roy came back before the Planning Board following a site walk of his property to continue his application process for Greatest Practical Extent. The Code Enforcement Officer informed the Planning Board that there was a revised 30% expansion form in the application packet that was completed by Mr. Roy. This revised form uses just the square footage of the existing house for the 30% calculations and no longer includes the square footage of the existing garage in an attempt to avoid any confusion around the calculations. The Planning Board inquired whether or not Mr. Roy intends on moving the structure away from the property line. Mr. Roy stated that he does intend to move the building a small distance from the property line but is trying to stay the required distance from the existing septic system in order to not have to replace the existing septic tank. Planning Board member Adam Brock asked if Mr. Roy could move the building ten feet away from the property line and ten feet further back from the water and still utilize his current utilities? Mr. Roy informed the board that he believed he could make the suggested dimensions work.

Pat Pearson – Motion to accept the Application for Greatest Practical Extent for Jason and Jessica Roy at 63 Stone Wall Drive, with the Condition that they move back 10 feet and away from the property line 10 feet.

Adam Brock – Second the Motion. Motion Passed 4 – 0.

• **Andrew Donovan. 257 Route 109, Map 243; Lot 005. Application for Conditional Use for a Ground Mounted Solar Array.**

Andrew Donovan came in front of the Planning Board to continue his process for Conditional Use. Mr. Donovan gave a brief description of the project to refresh the Planning Board of his intentions. After the brief description the Planning Board reviewed the Conditional Use Checklist and set a date for a Public Hearing for May 18, 2023.

- The Standards listed in Section 6.6.3.7 have been reviewed and found that:
 - a. The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat; ✓ Yes No N/A

- b. The use will conserve shore cover and visual, as well as actual, access to water bodies; Yes No N/A
- c. The use is consistent with the Comprehensive Plan; Yes No N/A
- 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 No N/A
- e. The site design is in conformance with all municipal flood hazard protection regulations; Yes No N/A
- f. Adequate provision for the disposal of all wastewater and solid waste has been made; Yes No N/A
- g. Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made; Yes No N/A

Standard f. and g. were unable to be determined at the Planning Board meeting and the Code Enforcement officer informed the Board that he would get them more information on how to proceed with these particular standards.

- 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 No N/A
- i. Adequate provisions to control soil erosion and sedimentation have been made; Yes No N/A
- j. There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes; Yes No 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 No N/A
- l. All performance standards in this Ordinance applicable to the proposed use will be met; Yes No N/A

The Board left standard l. unanswered until the Code Officer provides them with more information on standards f. and g.

- m. Archeological and historic resources, as designated in the

Comprehensive Plan, will be protected; ✓ Yes No N/A

After the review of the standards, the Code Officer informed Mr. Donovan that moving forward the Land Use Department would notify via mail all abutters within a 500’ radius to his property of the Public Hearing on May 18th, 2023 and that the notification would also be posted in the local paper at least 10 days prior to the hearing. There was nothing further for Mr. Donovan and he will continue his application process at the Public Hearing on May 18th, 2023.

• **Proposed Amendments to the Zoning Ordinance:**

The Planning Board and Code Enforcement Officer began a final review of the proposed Amendments to the Zoning Ordinance, and comments and concerns that were heard during the Public Hearing held on April 13, 2023. The Code Officer informed the Board that there was a missing section from the proposed Mineral Extraction Ordinance that was also located in the proposed Solar Ordinance. This section was to protect the applicant and the Town of Acton by establishing an appropriate Surety in the form of a Letter of Credit or a Bond for reclamation of a site.

The Planning Board finalized the meeting with round table discussions to address the comments and concerns of the public brought to the Board during the April 13th, 2023 Public Hearing relative to the proposed Amendments to the Zoning Ordinance. The Planning Board reviewed the bulleted list of concerns and adjusted the proposed amendments as necessary (For a detailed description of the Amendment revisions based upon public comment, please review the Planning Board Meeting video for April 20, 2023 on the Acton Public Access Television recording at <http://www.actonmaine.org/>).

Adam Brock – Motion to accept the changes on the proposed Amendments to the Zoning Ordinance relative to Mineral Extractive Industry.

Patricia Pearson – Second the Motion. Motion Passed 4 – 0.

New Business:

There was no new business at this meeting.

Pending Projects:

- **Sasha Smith: 660 Hopper Road. Map 235; Lot 036. Application for Conditional Use for In Home Day Care.**

Patricia Pearson – Motion to Adjourn the meeting.

Adam Brock – Second the Motion. Motion Passed 4 – 0.