

Town of Acton, Maine

Planning Board Meeting Minutes

Date: June 15, 2023

Members Present:

Chris Whitman (Chairman), Gavin Maloney (Vice-Chairman), John Qua, Patricia Pearson, Ryan Gleason, Adam Brock (Alternate)

Also Present:

Jason Sevigny (Code Enforcement Officer)

Absent:

Dave Riley (Land Use Assistant)

Pledge of Allegiance

Designate Alternates:

No Designated alternates, there is a full board. (Adam Brock is a non-voting member this meeting)

Approval of Minutes:

Gavin Maloney – Motion to accept the minutes from May 18th, as written.

John Qua – I'll Second. Motion Passed, 5 – 0.

John Qua – I move we approve the June 1st minutes.

Ryan Gleason – I'll Second. Motion Passed, 3 – 0. Gavin Maloney and Patricia Pearson Abstaining as they were absent at the June 1st, 2023 meeting.

Public Hearing:

- **Laurie Streeter. 2633 Milton Mills Road. Map 246; Lot 017-001. Application for Conditional Use of a Ground Mounted Solar Array (Tracking).**

The Streeters came before the Planning Board and the public to give a brief description of their project, which will be open to comments from Acton residents. Mr. Streeter explained they were going to be installing a ground mounted 24 panel tracking solar array. Chairman Chris Whitman opened the Public Hearing for comments. There were no comments. Chairman Chris Whitman closed the Public Hearing.

Old Business:

- **Laurie Streeter. 2633 Milton Mills Road. Map 246; Lot 017-001. Application for Conditional Use of a Ground Mounted Solar Array (Tracking).**

The Planning Board asked the Streeters to remain at the podium to go over the Conditional Use Checklist and project to finalize the Conditional Use Application. The Code Officer reviewed with the Streeters again as to where the array would be located and asked them if it would be used for personal use. The Streeters identified the location where the array would be placed and explained that it was only for personal use. The Code Officer and Planning Board member John Qua both stated that the proposed location of the array was a good location, and it would not be very visible to neighbors or the road.

Planning Board member John Qua read aloud the Standards Applicable to Conditional Use Permits in relation to the Streeter’s application.

- 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
- 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
- m.** Archeological and historic resources, as designated in the Comprehensive Plan, will be protected; Yes No N/A

Following the Planning Board’s review of the standards, CEO Jason Sevigny discussed with the Streeters the setbacks from the property lines that needed to be adhered to when installing the solar array. The Streeters were informed that they needed to maintain the 25 foot setback from the side property lines.

John Qua – I’ll make a motion we approve the Application for Conditional Use for 2633 Milton Mills Road. Map 246; Lot 017-001 for the addition of a tracking solar system to the residential property with a condition that the post be moved such that twenty five feet separation from the property line be maintained.

Gavin Maloney – Second. Motion Passed 4 – 0. (Chairman Chris Whitman abstaining because the Streeters are relatives.)

- **Brian Perry: 668 13th Street. Map 143; Lot 034. Application for Greatest Practical Extent.**

CEO Jason Sevigny gave a brief description to the Planning Board, reviewing the details of the last Planning Board meeting where Brian Perry's proposed project was discussed. John Qua stated that a motion was presented in the last meeting to move Mr. Perry's dwelling back 2 feet, but the motion did not pass. Jason continued to detail that the Planning Board at the last meeting had asked the Perrys to go back to the drawing board and determine how far back the structure could be moved, and then return to this meeting with their ideas. The Perrys have returned to this meeting with a proposal that sets their entire structure outside the 100-foot mark from the lake, and only leaves the porch in the existing location. Jason Sevigny also stated that with the new proposal, Mr. Perry has come close to maxing out his 20% lot coverage but is still within the ordinance at 19.5% lot coverage. Mr. Perry is also meeting his side and road setbacks. After some round table discussions about Mr. Perry's compromises with the board to make the structure more conforming, the Planning Board agreed with the proposal.

Gavin Maloney – I make a Motion that we accept the Best Practical Location for Brian Perry. 668 13th Street. Map 143; Lot 034. The new structure to be located no closer than 90.4 feet to the high-water mark.

John Qua – Second. Motion Passed 5 – 0.

New Business:

No New Business

Round Table Discussions:

The remainder of the meeting consisted of a review of the upcoming schedule of events for the Planning Board. The Code Enforcement Officer reminded the Planning Board that at the next meeting there are two Public Hearings taking place. One Public Hearing is for James Wood for a Conditional Use for a ground mounted solar array, and one is for Matt Leck for a Conditional Use for the storage of rental equipment. The CEO also informed the Planning

Board that there would be an applicant coming before them soon looking to amend a condition on a previously approved sub-division from 2003 or 2004. Mr. Sevigny further explained that the applicant would be looking to have the condition that the sub-division was only for individuals 55 and older, be removed. Mr. Sevigny also informed the Board that he would invite Ben Smith from NorthStar Planning to join the meetings as needed if the Planning Board deemed it necessary.

Pending Projects:

- **Matt Leck: Nason Road. Map 230; Lot 005-002. Conditional Use Application for the Storage of Rental Equipment.**
- **James Wood: 111 Yeaton Lane. Map 233; Lot 035. Conditional Use for a Ground Mounted Solar Array.**
- **Sasha Smith: 660 Hopper Road. Map 235; Lot 036. Application for Conditional Use for In Home Day Care.**

John Qua – I move we adjourn.

Ryan Gleason – Second. Motion Passed 5 - 0