

Town of Acton, Maine
Planning Board Meeting Minutes
Date: March 16, 2023

Members Present:

Chris Whitman (Chairman), John Qua, Patricia Pearson, Adam Brock
(Designated Voting Alternate)

Also Present:

Jason Sevigny (Acton Code Enforcement Officer), Ben Smith (NorthStar
Planning)

Absent:

Gavin Maloney, Chelsea Kenyon, Ryan Gleason

Pledge of Allegiance

Approval of Minutes:

No Minutes for Approval at the meeting.

New Business:

The Planning Board meeting began with discussions held between the Board and Selectman David Winchell Jr. Mr. Winchell shared with the Board that the Selectmen would like to see the method of surety for the proposed Zoning Ordinance change relative to Solar Energy Systems be in the form of a bond. He continued by informing the board that by using only one form of surety it would keep all applicants on a level playing field. He also stated that by using a bond it would keep incurred fees down for applicants while providing Acton with the opportunity to adjust fees accordingly as the times change.

John Qua – Motion to modify the solar ordinance change to remove the reference to cash escrow and change it to surety in the form of a bond.

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

- **Gerald Cronin: 1564 West Shore Drive. Map 121; Lot 002.
Application for greatest Practical Extent.**

Susan and Gerald Cronin approached the Planning Board with a proposal to pour a new full foundation under their camp and add their allotted 30% expansion to the existing camp. The Code Enforcement Officer informed the Planning Board that the Cronins had come before the Planning Board two years prior looking to tear the camp down and rebuild. The Cronins had decided at that time not to move forward with that demolition and

reconstruction because they would have had to install a new septic tank and chamber system as well. Mr. and Mrs. Cronin participated in discussions with the Planning Board around tree removal, 30% expansion and general questions around the project. It was concluded that the Planning Board did not have any issues with the proposal.

John Qua – Motion to approve the application for greatest practical extent for Gerald and Susan Cronin, Map 121; Lot 002 to expand as described.

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

Old Business:

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

Sasha Smith came back before the Planning Board to continue with her application for an in-home day care. Board Chairman Chris Whitman began the discussions with Sasha by detailing some of the concerns that arose from the site walk conducted on February 18th, 2023. Mr. Whitman described the biggest concern was related to the location of the play area. The site that was selected for the play area was located on a portion of the property near dead trees that could be potentially hazardous. Also, the children would have to traverse down a set of old stone steps that did not

have a handrail. Sasha agreed with the Planning Board that the play area would be moved to the opposite side of the house where it is more level and more easily accessible for children. The Planning Board also discussed with Sasha the potential need for signage at the road. In conclusion, Sasha Smith was also asked for adjusted plans to show the new location and dimensions of the play area with play structures included, driveway dimensions for a car turn around, water testing and an evaluation of her septic system confirming it is adequate for the in-home daycare facility.

- **David Pepin: H Road, Map 220; Lot 007 & West Shore Drive, Map 221; Lot 003. Mineral Extraction.**

Matt Pepin approached the Planning Board to continue his application for mineral extraction. He entered into discussions with the Planning Board first around the donation of land that was presented to Three Rivers Land Trust as part of the overall project. Matt detailed how Three Rivers had recently declined the acceptance of the land and he is now looking to have a discussion with the Select Board around having the Town of Acton accept the land. Following Mr. Pepin's information about the land to be donated, Ben Smith of NorthStar Planning detailed what options the Planning Board had in moving forward with Matt Pepin's offer. It was determined that the Planning Board would like guidance from the town attorney before making any conditions of approval around the section of land in question.

Matt and the Planning Board continued by reviewing the list of Findings of Fact in order to address any disagreements and establish that the

conclusions meet the standards of the ordinance. The bullet points in the Findings of Fact that were of question related to buffer areas around two on site streams, off-site materials that could be brought in to be washed, not allowing asphalt to be brought to the site, not burying stumps on site and only being allowed to process stumps for a period of 14 consecutive days between October and November. Additional Findings of fact that were reviewed were that the crusher would not be operated in extraction area #3, crushing would not occur after 4:00 pm and that stakes or flags would be placed every 50 feet around the extraction areas.

After reviewing the Findings of Fact and Conditions for the Mineral Extraction Application by Matt Pepin, the Planning Board held discussions around the items Matt was responsible for providing in his next appearance and the language that needed to be reviewed by the town attorney relative to an open space easement.

Pending Projects:

- **Elias Thomas: 318 Route 109. Map 147; Lot 010. Application for Conditional Use for Commercial Office Space.**

John Qua – Motion to adjourn the meeting.

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