

# Town of Acton, Maine

## Planning Board Meeting Minutes

Date: October 05, 2023

### Members Present:

John Qua (Acting as Chairman), Patricia Pearson, Adam Brock (Alternate), Andrew Johnson (Alternate)

### Also Present:

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

### Absent:

Christopher Whitman (Chairman), Gavin Maloney (Vice Chairman), Ryan Gleason

### Pledge of Allegiance

### Designate Alternates:

John Qua designates Adam Brock and Andrew Johnson as voting members for this meeting.

### Approval of Minutes:

*Acting Chairman John Qua – “We have two sets of Minutes to approve but we don’t have a quorum to get them approved so we will table those as well.”*

### Old Business:

- **John O’Keefe: 193 Foxes Ridge Road. Map 248; Lot 009. 6.6.4 Site Plan Review.**

Micheal Menary and Joe Griffin approached the Planning Board to continue the Site Plan Review for Hurd Storage. Micheal and Joe began by recapping the proposed application. Micheal noted that a site walk was conducted with the Planning Board and CEO before coming to this meeting. While at the site walk, the Planning Board was able to view the proposed area for the driveway entrance and corners of the proposed soil filter. The waiver for the tree buffer was also discussed during the site walk. Mr. Menary also described how the proposed gated entrance is detailed on the new site map and that the Maine DOT has accepted the driveway entrance. Mr. Menary continued by

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stating that the DOT has approved a 22' driveway entrance but Civilworks had proposed a 30' driveway entrance. Joe Griffin states that they do not have a proposed timeline for the discussions with Maine DOT to be resolved. Mr. Griffin also described that Maine DOT has proposed a culvert to be installed under the driveway entrance, but it is also being discussed with the DOT because the culvert wouldn't effectively drain anywhere.

Board member Patricia Pearson asked if there could be some discussion around the variance requested for less of a vegetative buffer and what the applicant was thinking they would like to have. Mr. Griffin described that the applicant is hoping to have a waiver for the vegetative buffer so the site could be seen better by people going by. The hope is that if anything is seen that doesn't look right, the passerby would be inclined to reach out to the appropriate authorities. Patricia Pearson asked if there was an option for providing some form of buffer between the site and any surveillance cameras that may be present. Mr. Griffin explained that there would be a vegetative buffer to the Northwest of the site and any neighbors there. He continued by stating directly across the street from the site is the old lumber yard, which is where they are looking for a waiver for the vegetative buffer. Mr. Griffin also discussed how there was a physical limitation to what could be used for vegetation in the area in front of the site because of the proposed soil filter.

Board member John Qua asked if the lighting for the site would be activated by traffic driving by on the road. Mr. Griffin stated that the lighting would not be activated by passing vehicles. Following the discussion around the lighting plan, Mr. Griffin and the Planning Board discussed the erosion control plan and drainage plans in relation to melting snow and the proposed soil filter. Mr. Griffin also stated there would be no water supply on site or septic. CEO Jason Sevigny asked Mr. Griffin if there would be a copy of a proposed lease agreement between Hurd Storage and a potential client provided to the Planning Board. Mr. Griffin stated that they would have a copy provided to the Board and would like to make it a condition of approval. John Qua asked if the agreement would state no hazardous materials, no large trucks, and no trash. Mr. Griffin said that the lease would state those details.

Moving forward, John Qua informed the applicants that the next step would be to schedule a Public Hearing for the proposed project. It was discussed that holding the Public Hearing on November 2, 2023 would be most beneficial for the applicant to provide the remaining documents for review. By pushing the meeting out, it allows the Planning Board time to review the additional documents required and hopefully finish up the process with one more meeting.

**Patricia Pearson – “I make a Motion that we hold a Public Hearing with regard to this project, John O’Keefe: 193 Foxes Ridge Road, Map 248 Lot 009, for holding the meeting on the first Thursday in November, the 2<sup>nd</sup> at 6 o’clock.”**

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**Adam Brock – “I’ll Second that.” – Motion Passed 4 – 0.**

**New Business:**

- **Leo Dionne: 40 10<sup>th</sup> Street. Map 147; Lot 034. Application for Greatest Practical Extent.**

Leo Dionne addressed the Planning Board and provided them with a brief description of the project. He is proposing to demolish the existing camp, reuse the existing foundation and build a new single-family dwelling on the existing foundation. Mr. Dionne also explained that he is looking to utilize his 30% expansion. Along with utilizing the existing foundation, Mr. Dionne would like to add two rows of block to raise the height of the camp to prevent future rot. Mr. Dionne concluded his description of the project by informing the board he would like to remove some of the paved driveway to incorporate a small farmers porch on the side of the dwelling.

John Qua inquired about the existing septic system. Mr. Dionne explained that the septic would remain, as it is a functioning pump system. The existing septic pumps up the hill behind the home to a leach field at the top of the property. Mr. Dionne added that he is not adding any additional bedrooms. John Qua inquired as to what the lot coverage of the property was at this time. Mr. Dionne explained that he didn’t do any major calculations for lot coverage because he isn’t changing the coverage. The only difference is that there would be a little less pavement. Board member Adam Brock asked if the Board wanted to have a site walk of the property. The Board determined that a site walk was not necessary because the pictures that were provided illustrated that the building couldn’t be moved any further from the water, and the proposed project was clear.

***Patricia Pearson – “I make a Motion we accept the application for Greatest Practical Extent for Leo and Rosemary Dionne, 40 10<sup>th</sup> Street for replacing the existing house structure with a new structure, expanding the house 30%, repurposing the existing foundation and adding 16” of block to existing foundation, adding a farmer’s porch and recovering 240 square feet of pavement.”***

**Adam Brock – “I’ll Second that.” Motion Passed 4 – 0.**

- **Lucinda Jefferson: 1280 West Shore Drive. Map 121; Lot 027. Application for Greatest Practical Extent.**

Tyler Matthews has come before the Planning Board on behalf of Lucinda Jefferson with a proposal to tear down the existing structure and rebuild. The plans provided to the Board show the existing patio at 54 feet from the water and the house at 66 feet from the water. Mr. Matthews informed the Board that there are power lines 20 feet behind the house, which limits how far back the new structure can be moved. Mr. Matthews is also proposing that he move the house back ten feet and make the distance from the high-water mark of the lake 64 feet. The CEO asked how far the house was from the powerlines. Mr. Matthews says the house is 20 feet from the lines now and is proposing to move the new structure ten feet closer. The Board, CEO and Mr. Matthews proceeded with discussions around what the setback was for a house from power lines. Tyler stated that he was not sure what the required setback is from power lines. The Board and CEO determined that the setback was 15 feet.

John Qua inquired as to what the lot coverage is and if there was going to be a new foundation. Mr. Matthews stated that they will remain under the 20 percent lot coverage and a new foundation will be constructed. He informed the Board that the existing foundation is in bad shape and has moisture issues. He also explained that if the setback from the powerlines is 15 feet, then he would only be able to move the house back 5 feet as opposed to the ten he stated earlier. The new distance of the structure from the water would be 59 feet from the high-water mark of the lake. After some research it was determined that the setback from a power line is 10 feet. Tyler states that he will move the building from 54 feet from the water to 64 feet from the water.

**Patricia Pearson – *“I make a Motion we accept the application for Lucinda Jefferson, 1280 West Shore Drive, Map 121 Lot 027, the application for Greatest Practical Extent, no closer than 64 feet from the water line.”***

**Andrew Johnson – *“Second.”* Motion Passed 4 – 0.**

- **Denise Pepin: 101 Thrush Road. Map 127; Lot 002. Application for Greatest practical Extent.**

Tyler Matthews Remained at the podium to represent the next applicant as well. Tyler Matthews, on behalf of Denise Pepin, states this project is a similar proposal to the last. He intends to tear down the existing structure and rebuild with a new foundation. He says the existing structure is 44 ½ feet from the high-water mark of the lake and he is not sure if he is able to move the structure any further from the water. He did state however that he might be able to square the building up some and is proposing to move the structure back to 46 feet from the high-water mark. The CEO informed the Board that the setbacks for septic systems from buildings limit the movement of this structure. The existing septic is located just behind the structure.

Patricia Pearson inquired as to whether the homeowner would be willing to update the existing septic system to a new system. Tyler stated that if the Board was willing to approve the structure being left in the same location, the owner would be willing to install a new septic system. Tyler further stated that his goal is to get the homeowner to install a new septic system anyway because they are close to the lake. After some discussion around how the new septic would be oriented on the property, Mr. Matthews stated he would be willing to move the house back 4 feet from the water and have the new septic installed. The new distance of the structure would be 48 ½ feet from the high-water mark of Square Pond, and Tyler said he would provide the CEO with a certified plot plan and have the foundation pinned.

**Patricia Pearson – *“I make a Motion that we accept the application for Denise Pepin, 101 Thrush Road, Map 127 Lot 002 application for Greatest Practical Extent with the condition that the septic be replaced, updated and the building be no closer than 48 ½ feet from the high-water mark.”***

**Adam Brock – *“I’ll Second that.”* Motion Passed 4 – 0.**

### **Round Table Discussions:**

The CEO informed the Board that the next meeting would consist of a Conditional Use Application for a ground mounted solar array for personal use and an application for greatest practical extent. He also stated that he should have documentation for the proposed solar field at Kelly Orchards for the Board to review.

**Pending Projects:**

**None**

***Adam Brock – “Make a Motion to adjourn.”***

***Patricia Pearson – “I Second.” Motion Passed 4 – 0.***