

Town of Acton, Maine

Planning Board Meeting Minutes

Date: September 21, 2023

Members Present:

Chris Whitman (Chairman), Gavin Maloney (Vice-Chairman), John Qua, Patricia Pearson

Also Present:

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

Absent:

Ryan Gleason, Adam Brock (Alternate), Andrew Johnson (Alternate)

Pledge of Allegiance

Designate Alternates:

No Alternates Present

Approval of Minutes:

Chairman Chris Whitman – “I’m going to table the minutes for the lack of people being here tonight from the last meeting.”

Old Business:

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

Micheal Menary and Joe Griffin from Civilworks New England return to the Planning Board to begin the Site Plan Review application for Hurd Storage. Mr. Menary began by giving a recap of what was discussed in the preliminary meeting. Mr. O’Keefe is proposing to construct three self-storage buildings at 193 Foxes Ridge Road, totaling 8,100 square feet. Mr. Menary stated that the total disturbance of the site would be about 42,000 square feet and as stated in the preliminary meeting, they are asking for two waivers with this project. The first waiver is for WB40, the largest trucks that will be allowed are 40’ U-Haul box trucks. The second waiver is for a reduced amount of vegetative screening to provide better visibility to the storage units for security purposes. Mr. Menary also

informed the Board that the Maine DOT entrance permit was accepted recently. Mr. Griffin stated that there were adjustments made to the site plans based upon the requests from the Board at the preliminary meeting. The site plans were adjusted to include the fencing around the buildings, the entry gate, and the adjusted hours of operation for the construction of the buildings. Mr. Menary and Mr. Griffin also discussed the best management practices that would be implemented on the site and that they conform with Maine DEP standards. The best management practices being utilized include a soil filter and a roof line infiltration trench. Included in the plans is also a drainage report for the site.

Planning Board member Patricia Pearson asked the representatives what the standards are for what items can be stored in the storage units. Mr. Griffin stated that the owner of the units and the renter would have a contract of some form detailing what would be allowed in the unit. Mr. O'Keefe commented that the units were going to be used only for storage with no hazardous materials, no electric other than service outlets, and the units would not be utilized for office space. Board member John Qua asked Mr. O'Keefe if his contract would say there would be no hazardous materials, and Mr. O'Keefe confirmed that it would and that they did not want hazardous materials on the property. Board member Gavin Maloney asked if a copy of a contract could be provided to the Board. Mr. Griffin stated that they would be willing to provide a copy of the contract as a Condition of Approval with this project. Gavin Maloney also stated he would like to review the drainage analysis in more detail to make sure the Board is happy with the runoff from the site. Mr. Griffin informed the Board that the roof line infiltration trench was designed to treat the first inch of water runoff from the first building in accordance with DEP standards. The roof line infiltration trench is being utilized because the section of pavement behind the first building was not able to be pitched toward the soil filter at the front of the site. The rest of the pavement was able to be drained to the soil filter.

Moving on, Board member Gavin Maloney addressed the two waiver requests. Mr. Maloney stated that until the site walk occurs there wouldn't be a decision made. He sees no reason why the WB40 couldn't be waived but the board would need to complete the site walk before making any decisions on either waiver. Gavin Maloney also asked if the soil filter at the front of the property could be staked out for the Board to see during the site walk. Mr. Griffin agreed that the soil filter area would be marked out. The Planning Board determined to set a site walk for the property to continue the application process.

John Qua – "I move we establish a site walk for the application at 193 Foxes Ridge Road on October 5th at 5:00pm."

Gavin Maloney – "Second." Motion Passed 4 – 0.

New Business:

- **Robert Martin: 20 Oriole Road. Map 138; Lot 023. Application for Greatest Practical Extent.**

Robert Martin addressed the Planning Board and began by giving a brief explanation of his project. Mr. Martin explains that he would like to demo his existing boat house and rebuild the structure, increasing the existing footprint from 10' 11 ¼" x 22' 9" to a more dimensional size of 12' x 24'. This dimension is less than 30% expansion. Mr. Martin continued to state that he uses the boat house for storage of his canoes and kayaks. The Code Enforcement Officer Jason Sevigny displayed pictures of the project area on the overhead screen for the Planning Board to view. The pictures illustrated for the Board the grade of the land and amount of vegetation on the lot. Mr. Martin informed the Board that the building is set atop of sono-tubes, and he is looking to use a small amount of gravel to level the area and pour a small slab before constructing the new building. Mr. Martin stated that he is looking to do as little excavation as possible to limit the amount of disturbance to the site.

Board member Pat Pearson inquired if Mr. Martin would be changing anything about the building other than making it more dimensional, and Mr. Martin stated he was not. Mr. Maloney asked if the structure had been expanded before and Mr. Martin stated that it had not. Board members Gavin Maloney and Patricia Pearson informed Mr. Martin that if he was to expand the structure, the Planning Board is required to try and move the structure further back from the water. Mr. Martin explained that it would be detrimental to the environment to move the building back further than to reconstruct it in the same location. Mr. Martin also stated he would have to do much more excavation and remove more trees than if it remained in the same location. After some further review of the site pictures and the trees located around the structure, the Planning Board agreed with Mr. Martin that it would be better to reconstruct the building in the same location.

Gavin Maloney asked what the existing distance was from the high-water mark of the lake, and Mr. Martin explained that on his survey it was depicted as four feet from the high-water mark of Wilson Lake.

Gavin Maloney – "I'll make a motion we accept the Best Practical Location Robert Martin 20 Oriole Road, Map 138; Lot 023. The new boat house to be located no closer than four feet from the high-water line."

John Qua – "I'll second." Motion Passed 4 – 0.

Round Table Discussions:

The remainder of the meeting consisted of the CEO providing information to the Board relative to upcoming applications. The CEO informed the board that the next meeting would consist of a site walk for the John O'Keefe application and a new Greatest Practical Extent Application. Mr. Maloney asked if there have been any ideas on amendments to the zoning for the 2024 town meeting. Mr. Maloney stated that he has a couple of suggestions for changes to the subdivision regulations that he would like to present to the board in the coming meetings. Mr. Maloney also inquired if the board thought something needed to be added to the ordinance about marijuana dispensaries. CEO Jason Sevigny stated that he just had a resident present him with an application for a marijuana store and he had to deny it. Mr. Sevigny explained that Maine is a state where the town needs to opt. in to allow marijuana businesses, and Acton has not yet opted in. The CEO continued to inform the board that legal counsel had responded back to him that since Acton had not opted in, it is not permitted. Moving on, Mr. Maloney asked the CEO if there was a solar farm application that would be coming in soon, as was mentioned in a previous meeting. The CEO informed the Board that the applicant had mentioned coming before the Board in October, but Mr. Sevigny had not yet received any documents or application.

Pending Projects:

None

Gavin Maloney – "Motion to adjourn."

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

Meeting Adjourned at 6:55 pm