

Town of Acton, Maine

Planning Board Meeting Minutes

Date: April 18, 2024

Members Present:

Christopher Whitman (Chairman), Gavin Maloney (Vice-Chairman), Patricia Pearson, Roger Perault

Also Present:

Jason Sevigny (Code Enforcement Officer), Brian Bedard, Marc Boisse, Kendra Ramsell (Sebago Technics)

Absent:

Adam Brock, Andrew Johnson

Pledge of Allegiance

Designate Alternates:

Chairman Christopher Whitman designates alternate Roger Perault as a voting member for this evening's meeting.

Approval of Minutes:

The approval for the meeting minutes from March 21, 2024 has been tabled until the next meeting.

Old Business:

None.

New Business:

- **Harold Stanwood. 384 East Shore Drive. Tax Map 149; Lot 047. Application for Greatest Practical Extent.**

Brian Bedard has come before the Planning Board representing Harold Stanwood's proposed project. Brian informed the board that the intent is to add a small addition to the existing camp for the homeowner to utilize as an office. Code Officer Jason Sevigny explained to the board that included in the packet of information was documentation of

For a more detailed account of the Planning Board Meeting please review the Acton Public Access Television recording for this meetings date at <http://www.actonmaine.org/>

when the owner before Mr. Stanwood came in with an earlier application for Greatest Practical Extent. The Planning board at that time felt the existing dwelling was located to the greatest extent that was practical on the property. Mr. Sevigny continued by stating that after calculating the numbers relating to this project, the lot coverage for this property is over the 20% allowed and is around 26%. To lessen his lot coverage and construct the addition, Mr. Stanwood is willing to remove the existing patio. Eliminating the existing patio and constructing the addition lessens the lot coverage to 24%. The proposed addition will be located on the back side of the existing dwelling, filling in a bump out area.

Board member Gavin Maloney inquired about what was located under the dwelling for a foundation when the homeowner came before the previous Planning Board. Mr. Sevigny explained that it was a different owner, and the dwelling was originally supported by cinder blocks. The previous owner had gotten approval to remove the cinder blocks and install new sono tube supports but had not utilized their 30% expansion. The Board discussed the square footage of the new addition and the patio that would be removed. The addition to be added, like the existing dwelling, will be constructed on sono tubes. Board member Gavin Maloney indicated that the plan looked pretty good, but he would like to see some sort of revegetation occur to get the property closer to the 20% lot coverage that is allowed.

Gavin Maloney – “I’ll make a Motion that we accept the Best Practical Location for Harold Stanwood, 384 East Shore Drive, Tax Map 149; Lot 047, that the addition when completed, the building not be increased in non-conformity and that a revegetation plan for the site be established with a qualified professional.”

John Qua – “I’ll Second that.” Motion Passed 5 – 0.

- **Marc Boisse, The Whole Nine Yards. 799 Route 109. Tax Map 241; Lot 006. Application for Subdivision Plan Revision.**

Mr. Boisse came before the Planning Board to have a revision made to his site plan regarding driveway access to an abutting two-acre parcel. As it appears now, the access to the abutting two-acre parcel begins on the business side of the Whole Nine Yards entrance gate. Mr. Boisse would like to move the location of the access road to the other side of the gate, so he does not have to move the gate or worry about obstructing access to the neighboring property. Board Member Gavin Maloney inquired as to what the distance from Route 109 to the new location of the driveway would be, so that they make sure the required vegetative buffer is not disturbed. Board Member Patricia Pearson stated that the plans indicate the vegetative buffer is to be 25 feet. Mr. Boisse stated that the new location of the driveway is about 40 to 50 feet from the road so the vegetative buffer would not be affected.

Gavin Maloney – “I’ll make a Motion that we accept the proposed Final Subdivision Plan Application Revision of Marc Boisse, The Whole Nine Yards, 799 Route 109, Tax Map 241; Lot 006. That the proposed easement be relocated no closer than 25.67 feet to the edge of 109 from the shoulder of the easement.”

John Qua – “Second.”

Patricia Pearson – “Should it be the edge of 109? Just a question.”

Jason Sevigny – “They’re surveying property lines not the edge of pavement.”

Gavin Maloney – “I’ll make a Motion we accept the application for Final Subdivision Plan Revision of Marc Boisse, The Whole Nine Yards, 799 Route 109, Tax Map 241; Lot 006 and the easement to the neighboring lot be relocated according to the details located on their plan Willard Farm Estates revising Lot 2A for The Whole Nine Yards.”

John Qua – “Second.” Motion Passed 5 – 0.

- **Adam Pelletier / Fairgrounds Variety Store. 631 Route 109. Tax Map 241; Lot 006-001. Pre-Application Conference.**

Kendra Ramsell from Sebago Technics comes before the Planning Board representing Mr. Pelletier of E&E Holdings, LLC. Kendra stated to the Board that they are present this evening to present a proposal for a variety store and gas station on the corner of Route 109 and Milton Mills in Acton. Miss Ramsell continued by informing the members that the applicant is looking for initial feedback from the Board on some standards within the Zoning Ordinance that seem unclear, so they can continue with organizing a complete engineered application to present to the Board.

Kendra Ramsell described the project as having a proposed 6,000 square foot building including a variety store and drive through coffee shop. Access to the site would be provided from Route 109 and Milton Mills with the main entrance on Route 109. The proposed gas station proposed includes four pumps with 8 separate gasoline fueling positions, and four diesel fueling positions. The site plan also includes a dumpster location near the building with a screened fence and plantings around the fencing to help with aesthetics. Kendra continued by informing the Board that at this time they are in the beginning stages of engineering, so everything is general in nature, but as it stands the site is just over one acre of impervious surface but under three acres. Also, a stormwater management plan would be designed and submitted for approval with the DEP. Two subsurface septic systems are being proposed under the parking lot in front of the store to keep the variety store separate from the coffee shop, they would each have their own septic. Water to the site will be provided via a drilled well and the water would be tested per Maine State Law and the Maine State Drinking Water Program. Electrical power will come in from either Milton Mills or Route

109 in coordination with requirements from Central Maine Power. Lighting for the site has not been proposed for this project yet but will be included in the full application when it is submitted.

Kendra mentioned to the board she could stop and answer questions at this point or go through the items the applicant was hoping to get clarity on. Board Member Gavin Maloney indicated that Miss Ramsell could go through the list of items requiring clarity. Miss Ramsell stated that there are 4 questions that are detailed on the second page of the letter provided to the Board this evening. These questions are relative to standards set by Acton Zoning in the Commercial A district and the applicant is planning to submit their requests via waivers with their complete application.

The first standard the applicant is looking for feedback is in relation to “no drive-through facility shall be located in the area of the site adjacent to a residential use or residential zone.” Kendra stated that they are looking for clarification on what adjacent is. The applicant is proposing a natural 150’ wooded buffer between the drive-through lane and the adjacent lot. She continued to state that the drive-through is adjacent to the abutting lot, but it is 150’ away and the applicant is looking to have a waiver for that standard.

The second bullet point the applicant was looking for clarification on was in relation to off-street parking in section 5.11.11. The applicant is requesting there be parking allowed in front of the building and having the building be set back further from the road with more of a rural feel. According to Kendra, the question is whether the use is considered large scale or small scale. Gavin Maloney stated he personally feels it is a large-scale use, but it would have to be decided as a Board. There was no decision or preference given by the Board at this time on this item. The board and Kendra had a few explanatory discussions around traffic flow which led to the next bullet point.

The third point for clarity was about access to the site. Standard 6.6.4.7.3e discusses lots with frontage on multiple streets, and how the main access and egress must be provided from the street with the least chance for traffic congestion and provides the most safety to pedestrians. This standard does allow access from other streets if it is safe and does not promote shortcutting through the site. Kendra explained through transparency that there would be another proposed project on the northern section of the parcel coming before the Board soon, so the applicant is proposing a shared driveway on Route 109 for access to both sites. They are also proposing shared access because Maine DOT must review how entrances to different sites affect one another before deciding approval. Kendra also informed the Board that this project will trigger a Traffic Movement Permit through Maine DOT, which is their biggest permit. She continued to state that these issues are ironed out with Maine DOT but wanted to make sure the Board was given the necessary input for their decision-making process. Gavin Maloney commented that he feels the property line between the two project sites needs to be established before the Board can adequately review this application and its entrances. Kendra stated that when the full application is provided to the Board there will be a purchase and sales agreement along with the established property lines.

The last bullet point detailed by Ms. Ramsell was around the parking layout. She stated that the Acton Zoning standard requires a 24-foot parking stall depth and a 26-foot isle width. The applicant agrees to making the isle width 26 feet but is looking for the Board to waive the 24-foot stall depth and consider allowing a 20-foot stall depth to reduce the

amount of impervious surface required to complete the parking area for the site. Kendra also stated a normal stall depth is 9 feet wide by 18 feet long, but the applicant is willing to add an extra two feet to the depth to offer some extra space. Board member John Qua inquired as to where Ms. Ramsell points to for a typical parking stall dimension of 9' x 18'. He asked if it was a state standard, or a standard found elsewhere. Ms. Ramsell answered that the Maine DOT has a standard for parking stalls at 90 degrees with 18-foot depths. She also included that other towns she has worked in required 18-foot stalls, with 20-foot stalls being the longest she has seen required. No decision has been made on this topic, but it will be discussed further when the full application is submitted.

The Planning Board and Kendra Ramsell finished their discussions around the proposed northern property line, vegetative buffers, how many total access points there are to the proposed project site, and the benefits of viewing both the proposed project and the future project on the northern lot at the same time. Gavin Maloney inquired about the Aquifer Protection District and stated it would be something that would have to be considered when reviewing the project. CEO Jason Sevigny inquired from Kendra when they expected to be reviewing the additional project on the northern lot. He stated that it may be worth while to do a preliminary application meeting for that proposal as well with a representative from North Star Planning present to help give guidance on steps and procedures the Planning Board should be taking into consideration.

Round Table Discussions:

None.

Pending Projects:

None.

John Qua – “I Move that we adjourn Mr. Chairman.”

Patricia Pearson – “I Second.” Motion Passed 5 – 0.