

Town of Acton, Maine
Planning Board Meeting Minutes
Date: November 7, 2024

Members Present:

Christopher Whitman (Chairman), John Qua, Gavin Maloney (Vice Chairman), Andrew Johnson

Also Present:

Jason Sevigny (Code Enforcement Officer), David Riley (Land Use Assistant), Nick Angelos of Salmon Falls Construction, Tyler Matthews of Lake Living Consultants

Absent:

Patricia Pearson, Adam Brock, Roger Perreault

Pledge of Allegiance

Designate Alternates:

Christopher Whitman designates Andrew Johnson as a voting member for this meeting.

Approval of Minutes:

John Qua – “Mr. Chairman, I’ll make a Motion to approve the October 17th Minutes with one minor spelling change on page two where denotated should say denoted, as written other than that change.”

Andrew Johnson – “Second.” Motion Passed 3 – 0. (Gavin Maloney abstaining as he was not present at the October 17th, 2024 meeting.)

Old Business:

- None

New Business:

- **Robert Emmett. 472 Langley Shores Drive. Tax Map 116; Lot 022. Application for Greatest Practical Extent.**

Nick Angelos of Salmon Falls Construction came before the Planning Board representing Mr. Emmett. Mr. Angelos gave a brief description of the project for the Planning Board. He stated that his client is looking to expand his structure within the 30% calculations allowed. He is looking to construct a 19' x 16' addition off the side of the existing dwelling with a 12' x 19' deck on the front to match up with the existing deck. The new addition will be located on a full foundation attached to the existing foundation with walkout storage below. The addition is expanding the existing master bedroom. No new bedrooms will be created. The client will have approximately 7% of their square footage expansion and 10% of their volume expansion remaining after this project. None of the proposed construction will be closer to the high-water mark than the existing structure and half the addition is located outside the 100' distance from the high-water mark of the lake. CEO Jason Sevigny informed the Board that from the information provided on the property survey, the closest point to the water will be 70 feet 3 inches.

Gavin Maloney asked what the lot coverage percentage was. Jason Sevigny informed the Board that they have a large 1.8-acre lot in the shoreland, and they are not even close to their 20% coverage. Gavin then inquired as to why the client wasn't using their full 30% expansion. Mr. Angelos stated that his client decided on this plan and it's all they wish to use. Mr. Maloney asked if the septic information was all current and the CEO informed the Board that it was replaced not too long ago but they are not adding any additional bedrooms, so they are not required to make any modifications.

Gavin Maloney – “Alright, I’ll make a Motion that we accept the proposal for Application for Greatest Practical Extent for Robert Emmett, 472 Langley Shores Drive, Tax Map 116 Lot 022, Application for Greatest Practical Extent.”

John Qua – “Second.” Motion Passed 4 – 0.

- **Jim Yoshizawa. 724 13th Street. Tax Map 142; Lot 029. Application for Greatest Practical Extent.**

Tyler Matthews of Lake Living Consultants has come to the meeting to represent the applicant for Greatest Practical Extent. He informed the Board that his client is looking to tear down the existing structure and rebuild a new dwelling about 3 feet further back from the lake. Tyler continued by stating that the lot is very steep, and this is most likely an application where the Planning Board may want to do a site walk to get the full scope of the

project. The CEO stated that he would recommend a site walk as well and showed the Board pictures of the property on the overhead projector. Tyler also informed the Board that this was an application that was approved by the Planning Board in 2015, but at the time the Board approved a new structure to be built on the existing foundation. Tyler is proposing a new foundation and dwelling. Gavin Maloney asked if the Board could get a copy of the Minutes from the 2015 meeting for the next meeting that this is reviewed. CEO Jason Sevigny said he would bring the previous Minutes from when the application was approved. The Board decided to hold a site walk before the next meeting in November.

John Qua – “I’ll make a Motion we do a site walk at 724 13th Street for the Yoshizawa Application for Greatest Practical Extent at 4:00pm on 21 November.”

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

- **Phillip Grove. 1196 West Shore Drive. Tax Map 123; Lot 015. Application for Greatest Practical Extent.**

Tyler Matthews remained at the podium to represent his next client, Phillip Grove. Tyler explained to the Board that this applicant is also looking to tear down their existing structure and rebuild. The existing structure is about 14.5’ from the water now and they are looking to move the new structure back to the 15’ CMP easement setback on the property. The new distance from the high-water mark of Square Pond would be about 38’ from the water. Jason Sevigny informed the Board that Tyler has provided a survey showing distances from the CMP easement, the high-water mark and road setback.

The Planning Board had round table discussions with Mr. Matthews in relation to some of the distances and setbacks on the survey map. John Qua asked if the lot coverage would be reduced. Tyler stated he hadn’t shown a reduction because he wasn’t sure what he would need for a walkway for the owners to get from the new house location to the waterfront. Andrew Johnson asked if there was something preventing the structure from being moved back outside the 100’ setback and placing it between the road setback and the CMP easement setback. Andrew continued by stating he would advocate with having the structure located behind the 100’ setback considering that it is a completely new construction and the ability is there. The Planning board held round-table discussions with Mr. Matthews about whether the new structure could be relocated outside the 100’ setback from Square Pond.

Gavin Maloney continued the discussion, stating he would like clarification as to whether the Board goes by the setback from the legal right of way or where the traveled road is currently located. CEO Jason Sevigny said he would get that information for the next meeting. The Planning Board determined that a site walk would be necessary to decide where the new structure could be located.

Andrew Johnson – “I make a Motion that we do a site walk at 1196 West Shore Drive on Thursday 21, November at 3:30pm.”

John Qua – “Second.” Motion Passed 4 – 0.

The remainder of the meeting consisted of round table discussions around documents that are in the process of being submitted for the Final Plan Application for the Martel Estates Subdivision, and CEO Jason Sevigny stated the applicant would be back in front of the Planning Board at the November 21, 2024 meeting.

Pending Projects:

- **Martel Estates, LLC. Martel Estates Subdivision. Final Subdivision application. 760 Young’s Ridge Road. Tax Map 217; Lot 029.**

John Qua – “I make a Motion Mr. Chairman that we adjourn.”

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