

Town of Acton, Maine Planning Board Meeting

MEETING MINUTES

Date: July 21, 2018

Members present: Bob Smith, Chairman
Tom Cashin, Vice Chairman
Leslie Berlan
Yoli Gallagher
Gavin Maloney
Joyce Bakshi, (Alternate)
Donovan Lajoie (Alternate)

Also present: Ken Paul, CEO; Brenda Charland, Recording Secretary; Virginia Deboer, Video Recorder, Arnie Martel, Brad Jones

Call to Order: The Chairman called the meeting to order at 7:00 p.m.

Approval of Minutes: Moved by Joyce Bakshi to approve the minutes of June 7, 2018; Tom Cashin seconded. The Chairman noted that reference to the July meeting should be July 19th instead of July 12th. Yoli Gallagher also pointed out a typo. The motion to approve the Minutes as corrected passed 5-0.

Old Business:

- **Arnie Martel re Proposed Buzzell Road Subdivision:** Bob Smith recalled that originally Mr. Martel had offered two different proposed subdivision plans to be considered and a third that the Board didn't really review. Brad Jones responded that after reviewing the regulations, Mr. Martel decided to move forward with the submitted layout that plans for buffers between each of the six house lots. The seventh lot will remain unbuilt with the option of possible development in the future.

Leslie Berlan reported that the Langley Shores Road Association officers are not interested in extending Langley Shores Road out to Buzzell Road, as discussed in the original meeting, based on expected maintenance costs.

Gavin Maloney noted that there is an area of wet land on the property but no resource protection.

In response to Tom Cashin's question regarding shore frontage, Mr. Jones told the Board that the plan offers no shore access rights.

Mr. Jones noted that in 1893, Buzzell Road was designated as a two-rod road. Over the years, the Road has gradually been widened onto the Martel property. He explained that the plan is to deed approximately .56 acres of land back to the Town expanding the right of way to twenty-five feet to center of Buzzell Road.

Board Members agreed to schedule a site walk to review the property on July 10, 2018 at 6:00 p.m. The Secretary will make all the required notices. (Note: The site walk was rescheduled to July 17, 2018) Mr. Martel will mark the lot lines and driveways.

Mr. Jones stated that the applicant is requesting three waivers as allowed in Section 6.2 D of the Subdivision Regulations:

- High Intensity Soils Survey: Mr. Jones pointed out that the lots are planned to be two acres, there are limited wetlands on the site and that two test pits have been dug on each lot.
- Hydrogeologic Assessment, as outlined in Section 10.9.1: he pointed out that there really are no actual abutting properties.

- Monuments as outlined in 10.1 D: The applicant agreed to place a four by four granite monument with GPS coordinates and elevations at southeasterly corner of Lot #1 and Buzzell Road then use 5/8 inch iron pins with caps at all other corners.

Moved by Gavin Maloney to waive the required High Intensity Soils Survey; seconded by Joyce Bakshi. The motion passed 5-0.

The Chairman asked Mr. Martel if he had any knowledge as to the water sources in close proximity of the site. Mr. Martel answered that there are actually two newly dug wells; one is on the adjoining property at about six-hundred and fifty feet deep and the other is on Lot #1 of the proposed subdivision at about seven hundred feet deep. Mr. Jones will try to obtain information from the Maine Department of Human Resources regarding other wells in the area.

Mr. Jones also explained that water is diverted before it crosses Buzzell Road from the proposed subdivision site.

Moved by Tom Cashin to approve the Hydrogeologic Assessment waiver based on the condition that the applicant provides information from the State regarding the neighboring wells and that the information supports waiving the assessment; seconded by Yoli Gallagher. The motion passed 5-0.

Gavin Maloney referred to section 10.9D of the Subdivision Regulations: *“An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the subdivision, or at the subdivision boundaries; or at a distance of 1,000 feet from potential contamination sources, whichever is a shortest distance.”* He wondered if this section is applicable to the site. Consensus of the Board Members was that it is not.

The Board discussed the volume of water available to the site with some concern that the required sprinkler systems could need access to a large quantity of water. Mr. Paul explained that most sprinkler systems currently used by contractors are stand-alone systems.

Moved by Joyce Bakshi, seconded by Leslie Berlan, to approve the request for the waiver of granite monuments at all corners of the lots with the condition that a four by four granite monument stating the GPS coordinates and elevations is placed at the southeasterly corner of Lot #1 and Buzzell Road then use 5/8 inch iron pins with caps at all other corners. The motion passed 5-0.

- **Pine Ridge Campground Conditional Use Application:** The Chairman suggested holding a workshop with the Applicant. Mr. Paul responded that Mr. Archambeault is working on submitting the final plan.
- **Proposed Amendments to the Zoning Ordinance:** The Chairman noted that all the Board's five proposed amendments to the Zoning Ordinance were easily passed at the Annual Town Meeting.

New Business:

- **Best Practical Location Application, Ann Riley, 604 West Shore Road, Map 124, Lot 028:** The property owner is applying to demo two existing buildings and rebuild a single family structure within the 30 percent expansion allowance. The .40 acre lot runs 100 feet along the road and 100 along the shore front. Mr. Paul explained that the building is currently 9 feet, 1 inch from the shoreline and the proposed relocation will be 53 feet from the high water mark. He also noted that the electrical power lines also run through the property and that there is a serious erosion problem allowing water to run down the length of the driveway into the lake.

The proposed septic will be installed across the street. The existing driveway will be reduced to allow for the building footprint.

Moved by Yoli Gallagher, seconded by Joyce Bakshi, to approve the application relocating the structure to 53 feet from the shoreline with the conditions that the property owner revegetates the existing building footprints and use all responsible stormwater mitigation practices. The motion passed 5-0.

- **Best Practical Location Application, Joel and Janet Tessier, 1268 West Shore Drive, Map 121, Lot 028:** The property owners are applying to demo the existing structure which is currently 11 feet from the shoreline and rebuild a new structure within the 30 percent expansion allowance 79.5 feet from the high water mark. The driveway will be relocated and a portion of the existing driveway will be revegetated.

Moved by Tom Cashin, seconded by Joyce Bakshi, to approve the application with the condition that at least 800 square feet of the existing driveway is revegetated and that all responsible stormwater practices are used. The motion passed 5-0.

Code Enforcement: Mr. Paul informed the Board that there will be a Boardsmanship workshop on July 26th in Portland and that any Board Member who is interested in attending should contact the Secretary.

Adjournment: The Chairman adjourned the meeting at 8:28 p.m.