

Bucksport Planning Board
6:30 P.M., Tuesday, November 1, 2011
Bucksport Town Office
50 Main Street

AGENDA

- 1. Call to Order**
- 2. Roll Call**

<input type="checkbox"/> John Daniels	<input type="checkbox"/> Marc Curtis	<input type="checkbox"/> George Hanson
<input type="checkbox"/> Gail Hallowell	<input type="checkbox"/> Rosemary Bamford	<input type="checkbox"/> Edward Belcher
<input type="checkbox"/> David Grant		
- 3. Review and Acceptance of Minutes:** Minutes from the October 4, 2011, meeting.
- 4. Chair's Report**
- 5. Code Enforcement Officer's Report:**
- 6. Limited Public Forum-**An opportunity for the Public to address the Board on matters related to land use or planning in the Town of Bucksport.
- 7. Unfinished Business:** None
- 8. New Business:**
 - A. Application for approval of an expansion of an existing mineral extraction operation on property located on Bucksmills Road, and identified on town tax map 15 as lot 15. The applicant proposes to mine stone in an area not to exceed .99 acres.
Applicant: Wardwell Construction & Trucking Corp.
- 9. Administrative Business**
- 10. Discussion**
- 11. Adjournment**

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6:30 P.M., Tuesday, November 1, 2011
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50 Main Street

MINUTES

1. **Call to Order:** 6:30 P.M. by George Hanson, Chair

2. **Roll Call**

<input checked="" type="checkbox"/> John Daniels	<input checked="" type="checkbox"/> Marc Curtis	<input checked="" type="checkbox"/> George Hanson
<input checked="" type="checkbox"/> Gail Hallowell	<input checked="" type="checkbox"/> Rosemary Bamford	<input checked="" type="checkbox"/> Edward Belcher
<input type="checkbox"/> David Grant		

Staff present : Jeffrey Hammond, CEO

3. **Review and Acceptance of Minutes:** The draft minutes from the October 4, 2011 meeting were reviewed.

MOTION(Bamford): To approve the October 4, 2011 meeting minutes.

SECOND(Hallowell)

DISCUSSION: Member Curtis asked that the minutes reflect that the planning board's town report should identify the members of the subcommittee formed to develop a mineral extraction ordinance.

VOTE: 6-0 Motion adopted

4. **Chair's Report:** None.

5. **Code Enforcement Officer's Report:** The CEO provided the board with copies of three findings of fact issued by the board of appeals. The board was also provided registration information for an upcoming Striking a Balance workshop to be held by the Hancock County Planning Commission. Members Bamford and Daniels expressed their intentions to attend. The CEO will also attend. The topic for the workshop is septic systems. The CEO reported that the CMP transmission line project is proceeding, but there may be a change. Further information will be provided under administrative business.

6. **Limited Public Forum-**An opportunity for the Public to address the Board on matters related to land use or planning in the Town of Bucksport.

No comments were submitted.

7. **Unfinished Business:** None

8. **New Business:**

A. **Application for approval of an expansion of an existing mineral extraction operation on property located on Bucksmills Road, and identified on town tax map 15 as lot 15. The applicant proposes to mine stone in an area not to exceed .99 acres.**

Applicant: Wardwell Construction & Trucking Corp.

Robert Wardwell and his surveyor, David Pooler, were present. The chair announced the application and invited the CEO to provide introductory comments. The CEO read aloud a written presentation, in which he recommended the board conduct a site visit rather

than rely on photographs and other documentation, due to concerns about how the applicant is conducting the current gravel extraction operation. The CEO also requested that the chair not allow any disruptive behavior during the application review. This request was made due to incidents that took place during the Thibodeau quarry application review, and due to a recent incident involving hostile behavior directed at the CEO from a proponent of the present application.

It was mentioned that it might make sense to review this application under the upcoming mineral extraction regulations to be adopted by the town council. No decision was made.

The chair invited the applicant to conduct an introductory presentation about their proposed project. The board asked questions about pit elevations, the location of the water table, and blasting. The applicant stated that they may be interested in expanding their stone mining operation in the future, but for now would limit it to less than one acre. The board asked for clarification on where nearby dwellings were located. The chair noted that a lot of the information the board needed would be obtained during their site visit.

The board asked about the crushing operation. The applicant stated that crushing has been conducted for the past seven years. The board asked about the existing buffer between the pit and Bucksmills Road. The applicant stated that the town cut vegetation in the buffer. The board noted that clearing done by the town or power company would be limited to within the public right of way. The applicant believed that cutting was done outside the right of way. The CEO noted that the buffer issue also includes concerns about excavation in the 100 foot buffer width.

The CEO provided the board with department director comments. It was noted that the public works director had made several comments.

It was suggested that the applicant provide detailed information about the process followed by the blasting company, including the pre-blast survey.

The board discussed how the site visit should be conducted. The CEO recommended that the board follow federal regulations when visiting the site, as instructed by the applicant. The public will be able to attend the site visit. The applicant will be demonstrating the crushing operation during the site visit. A motion was made concerning a site visit:

MOTION(Bamford): To schedule a site visit.

SECOND(Curtis)

DISCUSSION: None.

VOTE: 6-0 Motion adopted

The applicant asked the board if this application would be reviewed under the new mineral extraction ordinance. The CEO explained that the ordinance had not been approved yet, but could be approved on November 10th, becoming effective on December 10th. The board noted that the new ordinance would provide a better review tool, but the applicant stated that they would prefer the board not delay their review, and use the existing ordinance. The CEO advised the board that they should follow their normal procedures, or seek legal counsel before they take steps to delay the review until after the new ordinance is in effect.

The applicant asked for clarification on what the board will be viewing during their site visit. The board explained that the entire operation will be looked at. The CEO noted that the board is within their authority to consider the condition of the existing operation when determining their expectations for allowing an expansion to mine stone.

The site visit was scheduled for Saturday, November 12th, at 10:00 AM. If weather is an issue, the site visit will be conducted on November 19th. A notice will be posted on the town's website if the site visit is rescheduled.

The board invited the public to comment on the application.

Misty Young, 247 Church Road, expressed concerns about loud noise, well water quality, blasting and pedestrian safety from truck traffic on Church Road. Will this be a project that could be expanded in the future?

Krista Hastings, 834 Bucksmills Road, expressed concerns about the confusion over the size of the pit allowed under the current permit, whether or not a crusher should be allowed, and if a prior blast conducted by the applicant had been permitted. Will a hydrogeology study be required? Will blasting affect her well? Noise at her home is "staggeringly" loud.

George Skillin, 829 Bucksmills Road, expressed concern about water quality impacts, loud noise, which he measured once at over 100dBA at the pit gate. Police were called, but they were unable to address the issue. Vegetated buffer is gone. Will truck traffic be an issue on Church Road? Doesn't believe blasting should be allowed. His expectation of peace and quiet will be lost. Noise-producing activities begin as early as 4:45 am.

Melinda Bishop, 243 Church Road, agrees completely with Krista's comments. Concerned about impacts to water. Needs a lot of water for horses. Truck traffic affects her horses, and she has called police.

Robert Davis, 233 Church Road, expressed concerns about well water quality, and traffic safety for kids in the neighborhood. There are a lot of trucks on the road. How will property values be affected by this project?

Sarah White, 214 Church Road, her kids would like to ride bikes on road, but are not allowed because of trucks. Noise activity starts early and is annoying. Worried about well water quality.

Rusty Saunders, construction company owner, supports application, is not concerned about blasting affecting well water, project will benefit small contractors in town.

No other comments were submitted. The chair noted that there was a lot of good information, and the concerns will be addressed during the board's review of the application.

No further review of the application was conducted.

9. **Administrative Business:** The chair noted that the board had received copies of the board of appeals findings. No action was required by the board.

Member Bamford asked if the board could be provided with copies of the CEO's presentation. The CEO will provide copies to the board.

The chair noted that, prior to the meeting, the CEO had requested that a police officer be present due to hostile behavior directed to the CEO last week, but did not believe it would be appropriate at the first meeting. The board discussed how meetings should be conducted. It was noted that the chair should not allow anyone to interrupt the proceedings by attempting to engage anyone in a debate or make critical or disrespectful remarks. All comments should be directed to the chair.

The board discussed what they would be looking at during their site visit. It was suggested that a list be developed of items that should be addressed during the visit.

CMP PROJECT: The CEO showed a photo to the board of the CMP project. The photo showed a possible rerouting of a portion of the new transmission lines due to CMP's failure to obtain required easements from Bangor Gas. It would require approximately 1500 additional feet of line to be installed. The board discussed the change and decided that CMP would not need further approval.

10. Discussion: None.

11. Adjournment: 8:25PM

Minutes prepared by
Jeffrey Hammond
Recording Secretary