

Bucksport Planning Board
6:30 P.M., Tuesday, February 7, 2012
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 Hollowell	<input type="checkbox"/> Rosemary Bamford	<input type="checkbox"/> Edward Belcher
<input type="checkbox"/> David Grant		
- 3. Review and Acceptance of Minutes:** Minutes from the January 11, 2012 special 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:**
 - 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.
- 8. New Business**
- 9. Administrative Business**
- 10. Discussion**
- 11. Adjournment**

**Bucksport Planning Board
6:30 P.M., Tuesday, February 7, 2012
Bucksport Town Office
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 January 11, 2012 special meeting were reviewed.

MOTION(Bamford): To approve the January 11, 2012 meeting minutes.

SECOND(Curtis)

DISCUSSION: None.

VOTE: 6-0 Motion adopted

4. Chair’s Report: None.

5. Code Enforcement Officer’s Report: The CEO provided the board with the Fall 2011 edition of DEP’s Shoreland Zoning Newsletter.

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.

The Chair opened the meeting to a public forum. No member of the public addressed the board.

7. Unfinished 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.

The applicant was present. David Pooler, surveyor, was present to represent the applicant.

Before continuing with the application review, the Chair asked if any board member had a conflict of interest or bias concerning the application. No member responded in the affirmative.

The application review began with questions regarding the blasting plan, which was submitted to the board prior to the meeting.

The board discussed the need to review the environment standards again to ensure the review was properly done. Member Bamford noted that she believed such a review is

necessary. The chair decided to do a recap of the review that was conducted because it had been several months, and it might be helpful to be reminded of what the board determined for the environment standards. The board did not require any additional documentation from the applicant as a result of the recap.

The board then reviewed the Special Areas Standards. No objective in this group of standards was found to be applicable.

The board then reviewed the Local Area Standards. The application was reviewed for compliance with the following objectives:

1. The scale and site features of the land use are consistent with the development patterns in the local area or neighborhood.

The board noted that the development pattern of the area is a mixture of residential uses and large mineral extraction operations. The applicant's proposed mineral extraction expansion will not conflict with this development pattern.

2. The land use is appropriately separated and shielded from abutting land uses and public or private ways to adequately mitigate any relevant detrimental effect.

The applicant proposes to construct an 8' tall earth berm along Bucksmills Road to act as a shield and buffer for nearby residences. The berm will be seeded. The board required tree and shrub plantings between the toe of the berm and the road. A 15' spacing between plantings was suggested.

5. Any relevant detrimental effects of noise from the land use are adequately mitigated.

The board discussed requiring an ambient noise study, though it was not decided if this would be useful for the board's review. The board required that blasting not be done before 9 AM, or after 5 PM. The hours of operation of the business will be 7 AM to 7 PM. After considerable discussion about noise impacts on abutting properties, the board recognized that DEP noise standards must be met or the operation risks being shut down. It was noted that the berm should provide adequate protection from noise impacts on abutting properties. The applicant also noted that MSHA inspectors regularly check noise levels of equipment. Complaints about noise can be addressed by DEP or local enforcement.

It was suggested that the applicant submit a noise mitigation plan, but it was not made a requirement. The board discussed the location of the crusher, and the applicant noted that, as the excavation increases in size, the crusher would be moved away from the road into the excavated area. The applicant stated that he believed at first that he would have to conduct one blast for the entire operation, but now plans to do multiple blasts.

6. Any relevant detrimental effects of nuisance odors from the land use are adequately mitigated.

It was noted that the berm would provide a shield to protect nearby properties from odors. Stemming techniques will help keep blast odors in the rock.

8. Any relevant detrimental effects of smoke and dust from the land use are adequately mitigated.

The main entrance is paved, and the applicant will use water to control dust emissions, if necessary.

9. Any relevant detrimental effects of subterranean vibration from the land use are adequately mitigated.

The board discussed concerns about impacts from blasting on well water quantity and quality. There was also confusion regarding the PPV values in the blasting study for impacts on structures. There appeared to be a conflict in the data. It was decided to require documentation from the blasting company to explain how potential impacts on water wells will be mitigated, and clarification on the PPV information.

The board then reviewed the Public Safety Standards. The application was reviewed for compliance with the following objectives:

1. The quantity and quality of public and private drinking water supplies are adequately protected from any relevant detrimental effects of the land use.

The board noted that a well water quality and quantity analysis will be offered to abutting property owners as part of a pre-blast survey.

3. Public safety services are adequately protected from any relevant detrimental effects of the land use.

The board noted that the police and fire department had no issues with the application. Entrances to the pit are blocked or gated to keep out unauthorized persons.

5. The proper management of solid wastes is adequately protected from any relevant detrimental effects of the land use.

The board noted that portable toilets are in use by employees.

6. The safety and sufficiency of streets and sidewalks are adequately protected from any relevant detrimental effects of the land use.

The board noted the public works director's written comments. Access to the pit will be from the north gated entrance only, and truck traffic will access Route 46 via Church Road. The sight distance at the north entrance was adequate.

The board then reviewed the Specific Uses Standards. The application was reviewed for compliance with the following provisions:

- 13.15.8.12 Except as otherwise provided for in Section 13.15.8, land uses identified in this ordinance must be provided with a minimum number of parking spaces, identified as follows:
- 10) Production Uses: One space for each employee. One space for every 200 sq. ft. of floor area utilized for retail sales.

The board noted that parking for employees will be in the pit, and not along Bucksmills Road.

- 13.2.20.1 All signs must comply with the requirements of the Bucksport Town Code, Appendix H.

The board noted that any business advertising sign would require a sign permit from the code enforcement officer.

The board discussed the applicability of Section 13.11.8.2, which deals with State regulations for quarries, but could not come to agreement as to how it should be applied, if at all. The CEO was asked to obtain a legal opinion and report back to the board at the next meeting.

The board then reviewed the Dimensions Standards. No objective in this group of standards was found to be applicable.

The board discussed the need for a public hearing before conducting the findings of their review. The applicant advised the board that he would not be able to attend the March meeting, so the board decided to schedule a public hearing for the April meeting.

No further review of the application will be conducted until then.

- 8. New Business:** None.
- 9. Administrative Business:** Member Bamford asked if an attorney would be present for their review of the Wardwell application. The chair noted that he had spoken with the town manger about it, but decided that an attorney would not be necessary.
- 10. Discussion:** None
- 11. Adjournment:** 9:20 PM

Minutes prepared by
Jeffrey Hammond
Recording Secretary