

**Bucksport Planning Board
Meeting
6:30 P.M., Tuesday, September 3, 2019
Bucksport Town Office
50 Main Street**

AGENDA

1. Roll Call

- | | | |
|--|---|--|
| <input type="checkbox"/> Steven Bishop | <input type="checkbox"/> Steve Feite | <input type="checkbox"/> George Hanson |
| <input type="checkbox"/> Brian MacDonald | <input type="checkbox"/> Edward Belcher | <input type="checkbox"/> Jay Durost |
| <input type="checkbox"/> David Grant | | |

Planning Board Chair: Brian MacDonald Planning Board Secretary: Steve Feite

2. Review and Acceptance of Minutes: August 6, 2019 meeting.

3. Chair's Report

4. Code Enforcement Officer's Report

5. 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.

6. Unfinished Business: None

7. New Business:

- A. Application for approval of a proposed land-based aquaculture facility on River Road in the Industry Development and Industry Development Shoreland Overlay Districts, tax map 1, lots 10-2 and 87. The Applicant proposes a phased development that at full build-out will have 945,000 square feet of building area, 1,372,000 square feet of total impervious area and 1,430,000 square feet of total developed area.
Applicant: Whole Oceans, Jacob Bartlett, CEO

8. Administrative Business

9. Discussion

10. Adjournment

**Bucksport Planning Board
Meeting
6:30 P.M., Tuesday, September 03, 2019
Bucksport Town Office
50 Main Street**

MINUTES

1. Roll Call

- Steven Bishop Steve Feite George Hanson
- Brian MacDonald Edward Belcher Jay Durost
- David Grant

Planning Board Chair: Brian MacDonald Planning Board Secretary: Steve Feite

2. Review and Acceptance of Minutes: August 6, 2019

- A. Motion: To approve the August 6, 2019 minutes as drafted. (Durost)
- B. Second: (Feite)
- C. Discussion: None
- D. Vote: 7-0 Motion adopted.

3. Chair’s Report:

- A. None

4. Code Enforcement Officer’s Report:

- A. The CEO introduced himself and thanked Jeff Hammond for his twenty one years of service.

5. 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.

- A. No public comments were received.

6. Unfinished Business:

- A. None

7. New Business:

- A. Applicant: Whole Oceans, Jacob Bartlett, CEO
 - i. Application for approval of a proposed land-based aquaculture facility on River Road in the Industry Development and Industry Development Shoreland Overlay Districts, tax map 1, lots 10-2 and 87. The Applicant proposes a phased development that at full build-out will have 945,000 square feet of building area, 1,372,000 square feet of total impervious area and 1,430,000 square feet of total developed area.

- B. The CEO presented the following:
- i. Explained why the project was determined to be a level 2 review.
 - ii. Explained that the zoning was industrial district & industrial district overlay.
 - iii. Preliminary review had been completed by bot Luke Chiavelli and by Jeff Hammond. The following items were noted in that review process.
 1. No height dimensions have been provided.
 - a. CES response: between 25 and 55 feet tall.
 2. Percentage of Shoreland zone lot coverage.
 - a. CES response: 8.8%
 3. No planting plan was provided.
 - a. CES response: A plan will be provided during the building permitting phase.
 - iv. Explained that the fee had not been paid at this point because the town council was in the process of updating the town's fee schedule, which have a tremendous impact on the fee Whole Oceans would have to pay. Therefore we allowed a delay in payment.
 - v. Each department head was given access to the application and no concerns were raised.
 - vi. All abutters were notified of the application and meeting via mail sent out August 22.
 1. No communications were received from any of the abutters.
 2. One communication was received from a non-abutter, a representative of the Toddy Pond Association with a concern about water levels.
 - vii. No waiver requests have been received from Whole Oceans.
 - viii. Presented a series of videos of the proposed site, taken at the site on August 28th.
- C. Whole Oceans CEO Jacob Bartlett introduced himself and explained his background and qualifications for this project. He then introduced his team that were in attendance.
- D. CES engineer John Whitten presented an overview of the project.
- i. Full build out is expected to take up to ten years. Because of this, the applicant is asking that the land use permit be extended to the maximum length allowed by the planning board, five years.
 - ii. DEP Site Location of Development Act (SLODA) permit is currently under review.
 - iii. Applicant has entered into a Voluntary Response Action Plan (VRAP) with the DEP.
 - iv. Applicant has been approved for a Maine Pollutant Discharge Elimination System permit.
 - v. Applicant has been approved for a DEP Wastewater discharge permit for up to 18.6 million gallons of water per day.
 - vi. Applicant expect to generate 5,000 metric ton of fish for processing in the first phase. Hope to be at or over 10,000 metric ton at full build out. That is 22 million pounds.
 - vii. Applicant will expand the substation to supply electricity to the project.
 - viii. Applicant will expand the existing storm water pond.
- E. Board members ask questions.
- i. Belcher asked about the proposed roof type.
 1. Answer, Flat roof with low pitch.
 - ii. Grant asked about roof slope direction.
 1. Answer, toward river.
 - iii. Belcher asked why roof drain water from the second grow out building is not directed to the treatment pond.
 1. Answer, only a percentage of storm water has to be treated and the numbers worked out that a portion of the second roof's water did not need to be.
 - iv. Feite asked what demo was left that the applicant would need to be responsible for.

1. Answer, removal of concrete slabs and footings from previous structures down to the footing level of the new structures.
 - v. Bishop asked about the depth of footings and soil materials.
 1. Answer, SW Cole is working with the applicant to determine the proper way of dealing with removal of some deep clay soils or driving piling down below that clay level.
- F. The chair addressed potential bias or conflict issues. None were noted.
- G. The public was invited to comment. No comments were made.
- H. The board commenced with the application review.
- I. Environment Standards:
 - i. There was some discussion about the removal of clay under the two grow out buildings. Bishop asked questions about the extent of that work.
 - ii. Belcher commented that there are a lot of organics in the soil near the old wood yard where the auxiliary building is going to be located.
 - iii. Belcher commented that 40% of the storm water runoff is not going to be treated, but it meets the DEP requirements.
- J. Special area standards:
 - i. Two areas of historical importance were identified but are not in the proposed development area.
 - ii. It was noted that the applicant has stated that if anything is found during excavation they will address it properly at that time.
- K. Local area standards:
 - i. Bishop asked questions about security of the facility.
 1. Answer, the plan is to have security personnel at the gates 24 hours a day.
- L. Public safety standards:
 - i. MacDonald asked about the need for future fire hydrants and capacity.
 1. Answer, they will work with Maine Water to have testing of the pressure. The applicant is willing to install fire pumps if needed.
 - ii. Durost asked how the product will be leaving the facility and how much per day.
 1. Answer, about 138 tons of product per day will be going out of the facility. Product will be taken to the processing facility via truck.
 - iii. MacDonald asked about the processing facility being off site.
 1. Answer, they are considering building the new processing facility in the Bucksport industrial park.
- M. Specific Use Standards:
 - i. The board did not find any specific use standards to be applicable.
- N. Dimensions:
 - i. The board did not find any dimensional standards to be applicable.
- O. Upon completion of their standards review, the board conducted the findings.

- i. MOTION: (Hanson) There is clear and convincing evidence in the record to support the conclusion that the applicable environment objectives have been met.
SECOND: (Feite)
DISCUSSION: None
VOTE: 7-0 MOTION ADOPTED
 - ii. MOTION: (Feite) There is clear and convincing evidence in the record to support the conclusion that the applicable special areas objectives have been met.
SECOND: (Durost)
DISCUSSION: None
VOTE: 7-0 MOTION ADOPTED
 - iii. MOTION: (Durost) There is clear and convincing evidence in the record to support the conclusion that the local areas objectives have been met.
SECOND: (Belcher)
DISCUSSION: None
VOTE: 7-0 MOTION ADOPTED
 - iv. MOTION: (Feite) There is clear and convincing evidence in the record to support the conclusion that the applicable public safety objectives have been met.
SECOND: (Durost)
DISCUSSION: None
VOTE: 7-0 MOTION ADOPTED
 - v. The board found during their application review that there were no applicable special use standards, so a vote was not required for a final finding on these standards.
 - vi. The board found during their application review that there were no applicable dimensional standards, so a vote was not required for a final finding on these standards.
- P. Upon conclusion of the findings, the board concluded that the proposed land use will not have any impact that is contrary to the purposes of Appendix K Land Use and, therefore, the application is approved.
- i. The board noted two conditions of approval.
 - 1. The land use level 2 review fee must be paid.
 - 2. A SLODA permit from the DEP must be acquired.
- Q. The board addressed the applicants request for an extension of the permits expiration date from two years to five years.
- i. MOTION: (Durost) To extend the permit to five years.
 - ii. SECOND: (Bishop)
 - iii. DISCUSSION: None
 - iv. VOTE: 7-0 MOTION ADOPTED

8. Administrative Business:

- A. None

9. Discussion:

A. None

10. Adjournment: 8:01pm

Minutes prepared by
Luke Chiavelli
Recording Secretary