



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

June 27, 2017

6:00 pm

## MINUTES

**CALL TO ORDER:** Mark Perry called the meeting to order at 6:00 pm.

**ROLL CALL:** Members present were Mark Perry, Susan Dunham-Shane, Craig Knight, David Peppard, David McCluskey, Pam Chapman, Alternate and Charles Norburg, CEO. James White has an excused absence.

Mark P asked Pam C to be a voting member for this meeting.

**MINUTES:** Motion to accept the minutes of the June 15, 2017 meeting with the noted changes: Unfinished Business, change “next” to “last”, 2002.2.2.9, add “and Section 204”, 2002.2.2.19 add “no”, 2004 change “power” to “submission”, 2008.2.3.10, remove “containment” and add “concentration”.

**By Susan DS/David P 2<sup>nd</sup>. Vote 4-1 David M abstained because he was not at the meeting.**

Susan DS pointed out that in the Findings of Fact, the wording of 2005.2 should be changed to match the minutes.

**UNFINISHED BUSINESS:** The Board will continue with the review of the Hughes Bros. application.

David M recused himself from the discussion.

2002.2.2.3 – Move that revised site plan as amended and submitted June 15, 2017 supplies the information required by Subsection (b)

**By Mark P/Pam C 2<sup>nd</sup>.**

Discussion: Susan DS questioned where the total acreage was stated. Each of the Board members should note on their copy of the plan submitted 6/15/17 that map 5, Lot 25 is 80 acres.

Amended to add the 80 acreage figure.

**By Mark P/Pam C 2<sup>nd</sup>. Vote 4-1**

2002.2.2.14 – I move that the Reclamation Plan (White Book Exhibit 14, as amended by plan submitted 6/15/17 and amended Exhibit 14 Reclamation Plan) satisfies all requirements of this section as to the plan.

**By Mark P/Susan DS 2<sup>nd</sup>.**

Discussion: Susan DS questioned the 5 acre and 10 acre ponds on their map. Janet H explained that they plan to excavate the 5-acre plan of Frank Arisimeek’s original permit and then continue with their 10 acre quarry. This is the only way the project is economically feasible for Hughes Bros.

Move the question

**By Mark P/David P 2<sup>nd</sup>. Vote 4-1**

**Vote on original motion 5-0**

2008.2.11.9, 2.11.12 and 2.11.15 - The Board received the submissions tonight and will revisit these sections on June 29<sup>th</sup>.

Mark P has added headings where needed in section 2007.

Motion to amend 2005.2 to read: “Abutters were notified, and public hearing held on 2/27/2014. Additionally, questions raised by town attorney and residents at said hearing were answered in submission to Planning Board 3/21/2014.

**By Susan DS/Mark P 2<sup>nd</sup>. Vote 5-0**

Susan DS suggested that on 2007.3 they add “After Approval” to the heading of Revisions.

2008.1.6 – Remove “So found 6/15/17 M Perry 2d Dunham-Shane” No vote taken on this section.

2008.2.3.7 and 2.3.8 – Revisit- Susan DS to supply reference information

2008.2.8.7 – Capitalize Shane in motion

2008.8.2.10.3 – I move that the applicant must obtain a driveway entrance permit from the D.O.T. prior to construction. (Blue Book §5.8) The Board finds that the proposed access road meets all town standards.  
**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2008.2.10.4 – I move that the Planning Board does not find that a traffic study is necessary. .  
**By Mark P/David P 2<sup>nd</sup>.**

Discussion: Susan DS suggested adding “based on traffic narrative in Blue Book.” She will get the page number for the next meeting. They will pass on this item until the next meeting.

2008.2.10.5 – They will pass on this item until the next meeting for the same reason as above.

2008.2.11 Noise – They will revisit this at next meeting.

2008.2.12.1 - Air emissions license. - Mark P asked Janet H about MDEP requirements regarding air emissions and she referenced Chapter 149 of MDEP regulations.

I move that the Board finds that the equipment proposed to be used on site does not require MDEP air emissions licenses.  
**By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

2008.2.12.2 - I move that the Board finds that the proposed dust control plan White Book §5.11-A (page 6) satisfies the requirements of this section.  
**By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

2008.2.12.3 - I move that the Board finds that the required distance will be paved. See amended site plan (White Book Exhibit 2).  
**By Mark P/Pam C 2<sup>nd</sup>.**

Discussion: Amend to add “dated 6/15/17” after site plan.

**By Susan DS/Pam C 2<sup>nd</sup>. Vote 5-0**

2008.2.12.4 - Mark P had this section marked that no action is required. Susan DS questioned if they needed to acknowledge the section and Mark felt this section is an ongoing regulation and will be addressed by the CEO if it is violated.

2008.2.12.5 – I move that the Board finds that no smoke or dust is expected to travel beyond the property boundaries. See White Book §5.11-A; 1500’ set-back. **By Mark P/David P 2<sup>nd</sup>. Vote 4-1**

When Mark P does up the final draft of the Findings of Fact he will put in it that for items listed as “No Action Required”, the Board agreed that there was no action required.

2008.2.13.1 Set-backs –I move that the Planning Board finds that the project, as amended, meets all applicable set-backs. See amended site plan, White Book Exhibit 2. **By Mark P/Pam C 2<sup>nd</sup>.**

Discussion: Susan DS questioned the set-backs on the site-plan for the processing or storage area from the Hatt structure (she measured at 920’) and from the Chapman building (she measured at 740’), but the ordinance rule is 1000’. Janet H does not believe this column was intended for a stockpile, but if it does, it has to apply to everyone else in Town including the Town’s own public works. Janet H will amend the plan. Mark P asked that she also indicate the 1000’ setback from the work/stockpile area. Janet H will also move back the loam storage area for the existing pit. They will revisit this section on Thursday.

2008.2.14.1 – I move we find that the applicant proposes to comply with this section. See White Book Exhibit 14. **By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

2008.2.14.3 Grades and vegetation within 6 months of completion. - I move that we find that the applicant proposes to comply with this section. See Reclamation Plan (White Book Exhibit 14.)

**By Mark P**

Susan DS amended to add: and revised exhibit 14 submitted 6/15/2017).

**Revised Motion By Mark P/Craig K 2<sup>nd</sup>. Vote 5-0**

2008.2.14.6 Roads reclaimed unless preserved for future use. – I move that we find that the reclamation plan complies with this section.

**By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

2008.2.14.4 – Susan DS questioned vegetative cover. Mark felt they will not know until a year after the activity.

2008.2.14.5 – Susan DS questioned the different amount in the type of cover required and that it does not mention shrubs or trees. The other Board members are ok with grass only and Janet H explained the recommended rate for reseeded.

2008.2.14.9 Topsoil stockpiles – I move that we find that the Reclamation Plan (White Book Exhibit 14. Amended to add: and revised plan submitted 6/15/2017) complies with this section.

**By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

2008.2.14.10 Phased Reclamation – I move we find that the Reclamation Plan complies with this section.

**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2008.2.14.11 Deed Covenant – I move we find that the reclamation notice proposed to be inserted in the deed from Arisimeek and Butterfield to Hughes Bros., Inc. is satisfactory. (See White Book Exhibit 14.)

**By Mark P/Pam C 2<sup>nd</sup>. Vote 5-0**

2008.2.15.2 – I move that the Planning Board does not specify a lower allowable maximum air blast level.

**By Mark P/Pam C 2<sup>nd</sup>. Vote 5-0**

2008.2.15.3 – I move that we find that the pre-blast survey required by this section shall be conducted and submitted to the CEO for approval prior to any blasting.

**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2008.2.15.11 Maximum allowable Ground Vibration – I move that the Board does not find it necessary to reduce the maximum allowable ground vibration. **By Mark P/Pam C 2<sup>nd</sup>. Vote 4 Yes - 1 Abstention**

2008.2.16.3 - I move that we find that more restrictive operating hours are not warranted.

**By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

2008.2.17 Fencing and Security – I move that we find that the gate and other physical barriers shown on the amended site plan dated 6/15/2017(White Book Exhibit 2) satisfy the requirements of this section.

**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2008.2.19 Preservation of Natural and Historic Features – I move that we find that there are no scenic, historic or environmentally sensitive areas on this site.

**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2009.1 through 2009.5 Performance Guarantees – I move that we find that the surety performance bond proposed by the applicant, appended hereto, is satisfactory in type and amount to the Planning Board. Approval by the Selectmen is required.

**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

Mark P suggests that when they get done with the MEA Ordinance they have to decide if they have to do the general review criteria individually or as a general finding. Susan said that Section 402.12 was never voted on. Mark P said they will vote on each one separately at the next meeting. At the suggestion of Pam C, the Board reviewed the submissions from that evening and continued to vote on these items.

2008.2.11.9 – I move that based on the report from Reuter Associates dated June 27, 2017, the Board finds that the sound measurements were done for 10 consecutive minutes, including at least 6 minutes not affected by nearby transient sources.  
**By Mark P/Pam C 2<sup>nd</sup>. Vote 5-0**

2008.2.11.12 – Height of Measurements – I move that we find that based on the report from Reuter Associates dated June 27, 2017, the sound measurements were made at a height of 4' off the ground, at least 15' from any other reflective surface.  
**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2008.2.11.15 – Production Blasting –Janet H explained the addendum blasting information she provided to the Board.

I move that the Board finds that based on the additional submission from Maine Drilling and Blasting on June 27, 2017, the sound study has addressed production blasting and the applicant proposes to comply with Section 2008.2.11.15.  
**By Mark P/Pam C 2<sup>nd</sup>. Vote 5-0**

I move that the Board finds that the Sound Study, White Book Exhibit 15, demonstrates compliance with 2008.2.11.  
**By Mark P/Susan DS 2<sup>nd</sup>. Vote 5-0**

2008.2.6 – Susan DS getting reference for.

2008.2.11 Noise - The Planning Board finds that the requirements of these sections have been met. See findings under Section 2002.2.2.18 (c) above.  
**By Susan DS/David P 2<sup>nd</sup>. Vote 5-0**

Janet H will make the following changes to the site plan:

1. Show setbacks for storage area
2. Change the storage area
3. Change Bangor to Eddington
4. Add acreage of total 2 parcels
5. Change Land Use Ordinance to Zoning Ordinance.

#### **NEW BUSINESS:**

**AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:** David M proposed the review of the minutes of October 27, 2016 as an agenda item for the June 29, 2017 meeting.

**DATE OF NEXT MEETING:** The next scheduled meeting will be on Thursday, June 29, 2017. Pam C will be a Selectmen after this week.

**ADJOURNMENT:** Motion to adjourn at 7:36 pm. **By Mark P/David P 2<sup>nd</sup>. Vote 5-0**

Respectfully Submitted,

Denise M. Knowles,