

Planning Board Meeting Summary  
January 19, 2016

In attendance: Board Members – Hank Aho, David Studer, Mitch Garnett, Bob Temple, Jesse Casas, Steve Ocean David Williams  
Members of the Public – Nancy Linscott, Jon Whitten, Jr., Debbie Bocko,, Wesley Daniel, and Suzanne White

Chairman, Mitch Garnett called the meeting to order at 7PM.

**David Studer motioned to accept the October 13, 2015 summary as written, Jesse Casas seconded, all in favor.**

Mitch Garnett stated that Jesse Casas will be a voting member, for this meeting, sitting in for Jim Bowers.

**David Studer motioned to accept the CEO letter and annual report as written, Jesse Casas seconded, all in favor. Mitch Garnett reminded Bob Temple to write a letter for the town report.**

Old Business

We will review the application for Berkley and Nancy Linscott for the gravel extraction operation on McDowell Road. Bob Temple sent a letter out dated January 4, 2016 stating the information about the pit and what is prepared for the meeting for the Board to look through. Bob explained that he worked with Jon Whitten to resolve most of the issues and the packet presented to the Board has the submission check list and drafted findings of fact; each piece of the review process needs to be addressed. Bob hand delivered a packet to each of the abutters that had been present at the last meeting. Everything the ordinance requires has been submitted.

The Board will review the application to declare it is complete and then schedule a public hearing, if needed. Jesse Casas will be a permanent voting member through the entire process of the Linscott Medium Mineral Extraction Operation request.

Jon Whitten, Jr. had proposed a small pit finding there are limitations will now submit an application for a medium size pit off McDowll and Mitchell Hill Roads. This changes the excavation area from 1 acre to just under 5 acres. The excavation will be done in the same area expanding into the property a bit more. The plan still includes reclamation of the existing un-vegetated area on the property. It still has access off the gates that are there now with a haul road into the site; the excavation equipment will be in the low end of the property. The proper setbacks are further out than any requirements for private wells. The well, on the property, is not being used and will not be used during excavation. The bottom of the pit is based on test pits taken on site; found water and based the 5 foot separation was determined from the test pit. The application has a provision that the applicant will periodically check that separation to make sure the pit is always 5 feet above ground water. McDowell Road is 18 feet wide and paved surface with 1 foot shoulders on either side which has a wider pavement area than required by the ordinance and meets the width of the ordinance for gravel pits. The truck traffic is expected to be limited since it's a seasonal operation; maximum of 15 trucks in any one day. The hours of operation and noise level will meet the ordinance standards. They expect to process material temporarily through the year which will be permitted by the CEO as the ordinance regulates. The applicant believes they

have the proper safety setbacks and site distances for trucks going in and out. Jon submitted a diagram in the packet showing the level of traffic situations A, B, C, D, E. The ordinance states that this operation cannot cause an intersection or roadway to act at level service E (high traffic). The stream on the property is upstream from the project. The pit, because of slope and elevation, is naturally, internally drained.

Mitch Garnett explained that this is not a public hearing but the public could ask a question for clarification. Debbie Bocko asked about the stream and it's name. Jon Witten explained how the stream runs. Debbie asked what naturally, internally drained means. Jon explained that the definition comes directly from the Maine DEP manuals, basically when it rains it doesn't flow out it stays in the pit. Debbie asked about the road and how they would access the pit. Jon stated they can approach from either way. Mitch Garnett explained that the site limitations are based at the pit entrance; maybe she could ask the Selectmen for an additional sign near her home where there is a 'blind spot' or change the speed limit. Debbie also stated that if there were concerns about the road they could request an engineer to look at the road. Mitch stated the Board will hold the applicant to the standards of the ordinance; there are no limitations on that road right now. In reviewing the application and ordinance the Board would determine if the road needs an independent survey. Mitch asked Debbie to review her concerns and come to the public hearing with a written statement that would become part of the record or verbally it will become part of the summary. Suzanne White asked if the property had been officially surveyed.

The Board will go over the Submission Checklist for Land Use (General Standards & Site Location) Mining Ordinance. Bob Temple has the official 911 and driveway entrance applications. All fees have been paid. David Studer read each line, discussion took place, some changes were made and noted (X-submitted/N-not applicable):

- Article IV, 4, D. – changed to show an X (2 Mitchell Hill).
- Article XI, 5, C, 9 – condition, evidence of bond, cost estimate, for reclamation.
- Article XI, 5, D, 2 – requesting a signed survey plan before the hearing.
- Article XI, 5, D, 10 – N changed to X – ordinance requirement.
- Article XI, 5, D, 12 – N changed to X.
- Article XI, 5, D, 14 – N changed to X.
- Article XI, 5, E, 2 – N changed to X.
- Article XI, 5, E, 5 – N changed to X.
- Article XI, 5, E, 7 – N changed to X.
- Article XI, 5, E, 12 – N changed to X.
- Article V, 2, E, 4 – signed survey.
- Article V, 2, C, 6 – Bob Temple to double check – properties within 1,000 feet of proposed activity.
- Article V, 2, C, 13 – N changed to X.
- Article V, 2, C, 16a – N changed to X.
- Article V, 2, C, 16c – to be shown on plan.
- Article V, 2, D – will be given Ed Blake's address along with letter regarding performance record of Mr. Blake and applicant.
- Article V, 2, E – issue at hearing/road condition survey/mining ordinance.
- Article V, 2, F – determine 50 foot test pit (pins at base line), written report log for annual inspection.
- Article V, 2, N – exclude three holidays Memorial Day, 4<sup>th</sup> of July, Labor Day.
- Article V, 2, R – change X to N.

**David Studer motioned to accept the application as complete once pending information requested is provided before the public hearing, David Williams seconded, all in favor.**

**The Public Hearing is scheduled for February 9, 2016 at 7PM.** Jon will get information to Bob Temple one week before the hearing to be distributed to the Board Members and abutters.

Mitch Garnett stated at the public hearing Jon Whitten, Jr. will present to the general public what the plan is, then open up for questions to the Board and/or Jon, if necessary. Mitch Garnett suggested to Jon to take into consideration some of the issues of concern mentioned at this meeting. David Studer asked how we can figure out the road condition. Wesley Daniel stated that he didn't know if the Road Commissioner would be qualified to determine the condition of the road. There is a statement from the applicant that the road is adequate. Nancy Linscott stated that Mr. Ludwig has been bringing rocks out of there for quite some time, Linscott's loads will not match his. At the Public Hearing there will be more discussion and a decision will be made. The ordinance states a Road Condition Survey should be done for pits under 5 acres.

**David Williams moved to adjourn the meeting at 8:50PM.**

Respectfully submitted,

Mary Anderson