

Monday, January 8, 2018
BUSINESS MEETING MINUTES

In Attendance: Jessica Larson; Ken Hall; Norm Harding; Eve Bergstrom; Nancy Perkins; Emily Ward;
Absent: Sandra Watt

Guests: Wes Sunderland, Carlton Candage, Steve Smith, Dianne Perkins, Craig Jones, Jack Wadsworth, Thomas Greer, Scott Franz, Dan Drake, Nicole Sampson, Halley Gillard, Ken Little, Kim Printy, Shelby & Corey Oates

Call Meeting to Order: 6:30 PM by Jessica Larson

Agenda Items;

1. Welcome **new Planning Board Members, Emily Ward & Sandra Watts** (alt member)
2. **Approve** minutes of the **Workshop Meeting, December 18, 2017.**
Only 3 members at last workshop meeting (Larson, Hall, Perkins) **unanimously approved 3-0**
3. **Continued Review: Wadsworth Gravel pit** review CUP (line items), Site Walk, Abutter Comments
 - a. **T Greer P.E.** reviewed the Borrow Pit plan: *Overall volume 90,000 cubic yard anticipate 10 yr. operation averaging 9000 cubic yards/yr. driven by the economy, internally drained, max. depth 30ft. Aerial photos reviewing neighbors, boundary, 150 ft. buffer & access road (Wadsworth Lane). MDOT contacted Highway Permit Entrance Permit exists e-mail sent to CEO Permit existence and ok to go per MDOT. A copy for the file can be obtained from CEO.*

Discussion/Public Comment:

- a. **C Candage:** *Questioned? Site Walk w/ 2 ft. snow cover. T Greer: Area tree reserve & vegetative cover viewed. Packet on file SW Cole reviews area. Reclamation of slopes as we go.*
- b. **S Franz (Abutter):** *Rock Crusher/noise? T Greer: Location eternal level with side slopes noise should not be an issue not an everyday event for stock pile crushing. J Wadsworth: Not a ledge or quarry type of material, small particle sand and gravel, not anticipating a lot of crushing taking place. S Franz: Trucks, machinery? T Greer: Depends on the project; home projects mostly 2/day. Road approx. 8/day. No one on site full time possible loader may be at site.*
- c. **N Perkins:** *Reclamation vegetative cover seedings for grasses or tree? End Point? J Wadsworth: Brownfield Pit 600 Norway Pines per acre due to sandy soil over 3000 pines planted state approved. Chair: Ordinance states 90% survival rate of all material. E Ward: Suggests requesting state documentation for reclamation of the land, that it's an acceptable practice. T Greer: Plan 80 to 90% full vegetative survival for site.*
- d. **J Larson (Chair):** *Reviewed Mineral Extraction Ordinance areas of concerned addressed at 1/08/18 Workshop Meeting.*
 - 1.) **Ground water Protection;** *Noted 3 house lots 71A, 71B & 71C. Concern pit location 300 ft. private drinking water and 1000ft. well. N Harding (CoChair): Reviewing the ordinance 300 ft. predevelopment private water drinking supply & 1000 ft. public water supply lots would not qualify since no predevelopment of the lots currently exists.*
 - 2.) **Noise:** *Hours of Operation 7AM to 7PM no Sunday operations. Crusher location noted ordinance sets sound level limits. T Greer: Experience with Mr. Wadsworth if noise issue exists just call him and it will be addressed. Mr. Hall: Suggest after sunset operations should cease safety issue. Chair: Seasonal operation should not be an issue since winter operation would likely not take place.*
 - 3.) **Reclamation:** *Norway Pines, DEP clarifications, as an acceptable practice. 80 to 90% survival.*
 - 4.) **Performance Bond;** *Bond requirement for reclamation in case of abandonment. N Perkins: Contacted Brownfield, and Rob Sturgeon for advice on the amount. R Sturgeon \$25,000. Not sure what was used at another pit? J Wadsworth: Brownfield pit \$1500 fields(Pines) \$10,000 grading. N Perkins: Do you agree to the \$25,000 performance Bond? J Wadsworth: yes.*

- e. **N Perkins:** One CEO mentioned fence requirement around pit since dirt bikes, 4 wheelers & snow mobiles may become an issue at the pit due to vertical drop & 30 ft. depth. **J Wadsworth:** One entrance to the pit which is gated. **T Greer:** Fence along road area of pit with gate to entrance. Rest of area wooded typically not fenced unless a quarry due to vertical drop. (3-1, 2-1 side slopes). **J Wadsworth:** Own 300 acres allow everyone to use. If individuals do not use common sense on the land and it becomes a problem or a liability we can shut down access property expands to route 117.
 - f. **C Candage:** Aquafer Protection How Far? **Chair:** Property on AD/RD; aquafer protection 3000 ft. from pit.
 - g. **Chair:** Reviewed **CUP application** line by line. **Line 9:** MDOT required, MDOT was contacted CEO has e-mail permit documentation allowing Highway Entrance. **Line 10:** Hrs. of operation will be 7AM to 7PM no Sunday operations as per ordinance. **Section 2: item 2.** Environs impact. **N Perkins:** Reclamation of the land including Performance Bond would be considered. **CoChair:** How is Performance Bond addressed at town level? **T Greer:** Documentation goes to town, owner of the bond comes back to the town states it's revegetated. CEO confirms. Bonds go through the town manager or selectman for release.
 - h. **T Greer:** Reviewed CUP requirements: Hours of operation, Gate & fence, DEP response for reclamation & Performance Bond.
 - i. **E Ward: Motion to table vote until 2/5/18 Business Meeting once all documentation provided.**
Chair: 2nd; **Vote: unanimous 5-0.**
 - j. **D Perkins:** When does this CUP expire? **CoChair:** CUP is for 5-acre pit 90,000 cubic yard extraction approximately over 10 years or once resources exhausted. **D Perkins:** What if sold? **T Greer:** New owner would require new bond. **Chair:** CUP specific to Borrow Pit new owner would need to comply with CUP.
- 4. The Coffee Joint/D Drake:**
- a. **Chair:** Asked Mr. Drake to attend meeting and verify compliance of the Cafe. **CoChair:** Read 11/09/17 letter sent to Mr. Drake addressing grease trap & Commercial RPZ backflow preventer along with CEO certification of installations along with valid permits/licenses prior to opening.
 - b. **C Candage:** Certified plumber? **CEO:** Talked to licensed plumber reviewed grease trap, commercial RPZ backflow preventer which are compliant. **N Sampson:** Plumber Eric Blanc of E.E. plumbing Limington.
 - c. **Chair:** Who installed RBZ backflow? Is water District informed? **D Drake:** Installation by licensed plumber inspection will be by Water District, Heidi Cates informed and reviewed.
 - d. **Chair:** Licenses & Health inspection? Dept. of Agriculture copy provided noted licensed bakery as Dandy's Kitchen & Café updated to include The Coffee Joint (state approved name) expires June 2018. Health Inspection needs to be posted at the Café. **D Drake:** Town office updated for business. **K Hall:** Hours of operation?
D Drake: Currently 6 AM – 1 PM Wed thru Sun.
 - e. **Chair:** Compliance requirements met. **2nd issue** that needs to be addressed **CUP for certificate of occupancy.** Did you receive the PB letter dated 12/07/17? **D Drake:** not sure?
 - 1.) **CoChair:** Read the letter dated 12/07/17, CUP certificate of occupancy was rejected, incomplete. floor plan required, and correct Town application required.
 - 2.) **Chair:** Temporary Occupancy Permit issued by CEO 12/18/17 after PB rejected incomplete CUP. Where in the ordinances is this referenced? **N Perkins:** Noted disjoint in sewer district ordinances pg. 45 vs tables. Info may be in conflict. **Chair:** Reviewed Max. capacity Lot 9 pg. 122 qt. date of tables **E Bergstrom:** Max capacity included in potential for 2 bdr. **E Ward:** Qt. if tables need updating? **Chair:** A lot of time spent on sewer issues in past meetings; proceed with caution for additions during winter.
 - 3.) **Chair:** Did CEO inspect building? Noted delineation requirement. **D Drake:** CEO walked through building residential area reviewed. **CEO:** Yes, total inspection of building was done. Issued temporary certificate of occupancy Mr. Drake aware that it can be over ruled. Large building (3 floors) residence is space for sleeping, bath & kitchen. Note that the permit one unit was crossed off, understanding the fragility of the sewer district stipulated sole occupant with expiration date when issued. Selectman can rescind.
 - 4.) **Chair:** Asked CoChair if this is allowed? **CoChair:** Not aware **N Perkins:** PB letter written based on application, documentation required that will stand the test of time, needs clarity. Commercial kitchen can not be used for residential. Applicant needs to follow Ordinances. **E Ward:** Dwelling Unit defined in ordinances pg. 104. Circumstances granting occupancy permit doesn't follow dwelling guidelines. **CoChair:** Reviewed the definition; separate rooms/suites containing independent living cooking, sleeping, bathing, & sanitary facilities. **E Ward:** Does 2nd floor have separate living, kitchen & bathing? **D Drake:** yes **N Perkins:** Stated prior that cooking downstairs CEO stated using all 3 floors concern knob/tube wiring 3rd floor. **D Drake:** Have a hot plate 2nd floor kitchen. 3rd floor wiring previously corrected. **N Perkins:** All the PB wants is you to follow ordinances with appropriate documentation.

Chair: Need consistency other commercial establishments with Certificate of Occupancy have clearly defined residential dwellings. **D Drake:** Ordinances were reviewed. **N Perkins:** 2nd floor 2 commercial office spaces qt. egress for residential, State Fire Marshall needs to review. **K Hall:** Can we assist the applicant with the form? **Chair:** CUP incomplete asked Mr. Drake to meet with CEO to correct application and provide appropriate documentation consistent with our ordinances.

- 5.) **N Perkins:** Concerned that ordinances were followed. **CoChair:** CEO does inspections meets with PB that requirements are met. **N Perkins:** Concerned about exist and fire with temporary occupancy certificate issued. Resident safety. State Fire Codes? **E Ward:** CEO follows building codes standards set by state, Is fire safety part of the state building codes? **CEO:** New construction codes address fire stops balloon structures. **E Ward:** New home constructed window size & height from ground considered for fire safety. **CEO:** Applies to 2 forms of egress every level. **E Ward:** Where is that stated? **CoChair:** State Building Codes. **N Perkins:** When CEO inspected 22 Main St does it meet the state fire codes? **CEO:** Egress is not in ordinance book.
- 6.) **E Ward:** Concern that a CUP required for residential dwelling on 2nd floor. PB rejected application as incomplete and CEO issued certificate of occupancy. Ordinances clear, residing there at all requires a CUP before Occupancy permit issued. **CEO:** Selectman can rescind.
- 7.) **E. Ward:** Letter to the board of selectman requesting rescinding the temporary certificate of occupancy permit. **K Hall:** Wording, delicate situation, suggest including if he occupies establishment let it be at his own risk. **E Ward: Motion: Letter to the selectman recommending rescinding the temporary certificate of occupancy permit & if he continues to occupy establishment it will be at his own risk.** **CoChair:** 2nd; **Vote:** unanimous 5-0

Communications Received/Sent:

1. YWSG AD 12/20/17 site walk Wadsworth Gravel Pit site walk January 8, 2018, 2pm
2. Abutter Letters (13) Wadsworth Gravel Pit sent 12/19/2017
3. D Drake Certified Letter sent 12/19/2017
4. CEO: Brent Anderson CUP Sand Pit
5. E-mail sent T Greer reminder upcoming Wadsworth site walk.
6. Selectman meeting 12/20/17 PB member, Sole Occupancy Permit CEO issued

Agenda Items for Next Meeting: **Workshop Meeting – Monday, January 15 ,2018 @ 6:30 PM**

1. Approve minutes of the Business Meeting, January 8, 2017
2. **NEW Business:** Brent Anderson CUP existing Sand Pit Cumberland St.
3. Continued review: Wadsworth Gravel Pit
4. Other:

Adjourn: 8:40 PM