

SANFORD PLANNING BOARD MINUTES
MEETING January 16, 2013 – 7:00 P.M.
Town Hall Annex Third Floor Chambers

MEMBERS PRESENT: Robert Hardison, Chair
John McAdam, Vice Chair
Joseph Herlihy
David Mongeau, Secretary
Lela Harrison
Matthew Treadwell (late w/notice)
Kelly Tarbox

MEMBERS ABSENT: None

STAFF PRESENT: James Q. Gulnac, AICP, Planning & Development Director
Charles Andreson, P.E., AICP, Town Engineer
Michael Casserly, P.E., Assistant Engineer

STAFF ABSENT: None

I. CALL TO ORDER

Chair Hardison called the meeting to order at 7:00 P.M.

II. SWEARING IN OF NEW MEMBERS

Chair Hardison said there were no new members that needed to be sworn in.

III. PUBLIC HEARINGS

1. **File #20-12-R: Grondin Aggregates, LLC, c/o Shawn Frank, P.E., Sebago Technics, Inc., 75 John Roberts Road, Suite 1A, South Portland, Maine.**

Chair Hardison described how the meeting would go tonight. Since the Grondin Aggregates, LLC and Genest Concrete Works, Inc. projects are tied together, the public hearing discussions would be done at the same time. Once the public hearing was over, the meeting would then go into work session to discuss project details. If the applications were complete, the meeting would then be reopened for voting.

Chair Hardison called for a representative to present the applications.

Shawn Frank, an engineer at Sebago Technics, introduced his team members and the applicants. Mr. Frank then went on to show where the properties for the two proposals were located. The combined property size is 150 acres. Access to both operations will be from Route 4 via a proposed road. Mr. Frank showed the excavation and well monitoring areas, property lines, and explained the reduced buffer between the two properties. There is a 30 acre parcel that will have a permanent conservation easement tied to it due to the impact associated with the road construction. Mr. Frank described how mineral processing will be done on each property; he also is requesting a waiver from showing all trees that are larger than 24" in diameter on the plan due to both lots being heavily wooded.

Chair Hardison said that the planning office has received a number of emails regarding these projects. He said it is not procedure to read the comments during the public hearing but the emails do become part of the application records. He added that if anyone present at the meeting had submitted an email or letter to the planning office and wanted the comments to become part of the proceedings, they should get up and speak.

Chair Hardison asked if anyone present wanted to speak in favor of the project; there was no one.

Chair Hardison asked if anyone present wanted to speak in opposition of the project.

Michael Velji, 36 Fisher Pond Road, said he is not necessarily against the project but didn't feel he was informed enough to make a decision and that he was one of the residents that sent an email to the planning office.

Mr. Velji said the presentation was very well done but he was still unclear about some things. The items he wanted clarification on were:

- how the applicants are going to be accessing lot R14/8
- if the DEP and Army Core of Engineers (ACoE) have approved the mineral extraction sites along with the access road
- if there was an environmental impact study available to be seen
- concerns about dust, noise, and what impact this operation would have on the recreational trails in the area

Mr. Frank addressed Mr. Velji's concerns:

- he pointed out where the gravel pit itself would be located on the R14/8 parcel
- a different point of access (Route 4) was determined to be better than using subdivision roads for access during initial concept review in 2007
- the DEP and ACoE approvals received were for the road; as for the gravel pits themselves, there were no wetlands disturbance so ACoE approval is not needed, and a Notice of Intent to Comply was signed by the applicant showing DEP that they would follow the rules for stormwater management established by DEP
- the area to be extracted is approximately 800-1,000 feet from the subdivision

Mr. Velji said Mr. Frank's response did address some of his issues but Mr. Velji was still unclear about the lot the gravel pit was going to be on. After Mr. Velji was shown the area of the lot the operation was going to take place on, he said the notice he received included a list of other lots but only one was being discussed; he wanted to know what the Planning Board was going to consider for approval.

Chair Hardison said that the concerns that deal with the details of the project will be discussed during the work session. Chair Hardison pointed out that the haul road being constructed for the project will be kept as a private road and not town maintained.

George Feeney, a resident of Twombly Road, asked if the pit will be expanded at a later date. The applicant said the areas being proposed are the only areas to be excavated. Mr. Feeney then asked what would happen to the area once all the material needed has been removed. Chair Hardison said this question will be answered in work session. Mr. Feeney asked how a mineral extraction area behind residential properties will affect property values. He is concerned about having a giant hole left in place of the natural state it is currently in. Chair Hardison said that both the state and the town require the property to be reclaimed and explained the process.

Board member Tarbox asked who actually owns the property the haul road is on. Mr. Frank responded that the Genest's own the property.

Rick Jodway, 610 Twombly Road, said that adding another gravel pit in town will not benefit the town any more than all the others already operating in town has. He is also concerned with traffic safety on Route 4.

Carl Gagnon, owns property on Country Club #1 Road, has concerns with the access road onto Route 4 and drainage. He would also like to know why access to the Haul Road wasn't

off Twombly Road instead of having such a long road created off Route 4. Chair Hardison said that these questions would be addressed during the work session meeting.

Chair Hardison said this project was first looked at by the Planning Board in an exploratory manner that showed five (5) different access points. At that time, the Planning Board said the access point that worked best was off Route 4.

Don Twombly left a survey from the Maine Department of Fish & Wildlife that showed endangered species in the proposed area and wanted to know what would be done to protect them during the work session discussion.

Paul St. Jean, a resident of Twombly Road, said he has issues with the current truck traffic from the Pepin pit located at the corner of Twombly and Old Mill Roads; he is concerned that these areas will be used as a shooting range just as the Pepin pit is on weekends; the added noise the proposed gravel pits create; and is overall concerned that the land will not be the same as it is in its natural state once the operations are shut down.

Chair Hardison noted that the Pepin project will soon be requesting an expansion that will be reviewed by the Planning Board. He said the abutters will be noticed when this review takes place.

Bob Duff, 13 Jay Lane, said his concern is that the Great Works River and Picture Pond will be disturbed by silt that will run into both of these bodies of water and surrounding area during the removal of material.

David Bowles, a resident of West View Drive, asked if the town or state has noise level standards that regulate this type of operation, and if so who monitors and enforces these standards. He also would like to know if there is a complaint procedure and if so, what the resolution to the complaint procedure is.

Chair Hardison said that the noise level of the operation is addressed in the project's operations manual and that the arm of enforcement is delegated to both the town's engineering and code enforcement departments. He then explained the process.

Joe Tolpin, a resident of Great Works Drive, echoed the same concerns as the others: property values decreasing, noise, traffic, etc. Mr. Tolpin said he doesn't feel that there has been enough time to research these concerns to make an informed decision.

Chair Hardison asked if there was anyone else that would like to speak; there was no one.

With the number of concerns raised tonight, Chair Hardison recommended that the public hearing be recessed instead of closed at the chance more questions come up at the project's review during the work session.

Board member Mongeau made a motion that the public hearing be recessed.

Board member Tarbox seconded the motion.

A vote was taken and the motion passed 7-0.

The meeting then moved into work session discussions on both public hearing items at 7:54 P.M. Board member Herlihy recused himself from work session discussion due to family issues.

- 2. File #21-12-R: Genest Concrete Works, Inc., c/o Shawn Frank, P.E., Sebago Technics, Inc., 75 John Roberts Road, Suite 1A, South Portland, Maine.**

The public hearing for this item was combined with Public Hearing Item #1: File #21-12-R.

3. **File #01-13-P: John Korpaczewski, K & S Development Inc.,** 16 Ratchet Way, Biddeford, Maine.

Chair Hardison called for a representative to present the application.

John Korpaczewski said he is requesting to change two entryways that are in the original approval, and he would also like to change from underground to overhead power.

Chair Hardison asked if anyone present wanted to speak in favor of the application; there was no one.

Chair Hardison asked if anyone present wanted to speak against the application; again, there was no one.

Chair Hardison asked board members if they had any questions for the applicant; they did not.

Chair Hardison stated that any questions concerns board members had would be discussed during the work session.

Staff member Gulnac asked if the Board felt it was necessary to discuss this item in work session. The board members agreed they needed more information in order to make an informed decision.

Chair Hardison closed the public hearing

The meeting then moved into work session discussions on all public hearing items at 7:54 P.M.

IV. NEW BUSINESS

There were no new business items.

V. OLD BUSINESS

There were no old business items.

VI. APPROVAL OF MINUTES

There were no minutes ready for approval

VII. PLANNING DIRECTOR'S REPORT

There was no Planning Director's report for tonight's meeting.

VIII. ADJOURN

The meeting recessed at 7:54 PM to go into work session. After the work session, the meeting adjourned at 9:30 PM.