



TOWN OF STANDISH PLANNING DEPARTMENT.

175 Northeast Road -Standish, Maine 04084
Phone: (207) 642-3461 Fax (207) 642-5181

Application # _____ Date filed: _____ Fee Paid: _____

INCOMPLETE /INACCURATE APPLICATIONS WILL NOT BE ACCEPTED

APPLICANT & OWNER INFORMATION Application requirements per § 181-16. Gravel pits E (2)

2a) Name of Property owner: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

2 b) Name of Gravel Pit Operator: _____

Address: _____

Telephone: _____ (____) _____ - _____

Name and registration # of Land Surveyor, Engineer, Architect or others preparing plan:

Address: _____

Telephone: (____) _____ - _____

Person and address to which all correspondence regarding this application should be sent:

Phone: _____ Fax: _____ E-Mail: _____

2c) A copy of the deed and lease agreement, excluding financial data, if the operator is not the owner. .

☐ Ownership ☐ option ☐ purchase and sales contract ☐ other _____

LAND INFORMATION

Location of Property (Street Location) _____

(From County Registry of Deeds): Book _____ Page _____ (from Tax Maps): Map _____ Lot(s) _____

Current zoning of property: _____

Is any portion of the property within 250 feet of a great pond or river? ☐ Yes ☐ No

Is any portion of the property within the direct watershed of great pond? ☐ Yes ☐ No

Total Acreage of Parcel: _____ Acreage to be developed: _____

Does parcel include water-bodies? ☐ Yes ☐ No - Does parcel include any wetlands? ☐ Yes ☐ No

Is any portion of the property within a special flood hazard area as identified by the Federal Emergency Management Agency? ☐ Yes ☐ No

I certify that the information submitted for this application is true and correct. All proposed uses will be in conformance with the application and the Standish Zoning Ordinance.

Signature

Date



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APPLICATION GUIDELINES

TO EXPEDITE YOUR APPLICATION THROUGH THE PLANNING BOARD PROCESS, PLEASE READ **ALL** PAGES OF THE APPLICATION AND COMPLETE THE FORM USING THESE GUIDELINES. RETURN THE COMPLETED APPLICATION AND ALL INFORMATION REQUESTED TO THE PLANNING DEPARTMENT AT LEAST **21 DAYS PRIOR** TO THE MEETING AT WHICH YOU WISH TO BE REVIEWED. IF YOU NEED ASSISTANCE OR HAVE ANY QUESTIONS, PLEASE CONTACT THE PLANNING DEPARTMENT AT 642-3461

Permits expire annually on June 30th Page 1 is the complete application form. The information on the following pages is for the applicant's information concerning review procedures, standards and site plan requirements.

The application form is the above page. The following pages are to assist applicant only.

There are several pages with this application **Elements checklist**, dealing with information that needs to appear on the site plan that you submit with your application. It is best to make the site plan as clear and complete as possible so the Planning Board has an accurate depiction of your property. The **Standard Condition of Approval Checklist** is information on how your proposal will affect the surrounding area. These standards, A through K, should be addressed in a brief letter to the Planning Board. This letter should explain how each standard will occur as a result of your proposal. The above information must be provided before the application will be accepted. Applicant seeking Renewal of existing excavation operations should read "Renewal of existing excavation operations" on page 7 of 10. Applicant who does not own the property must obtain agent authorization from the property owner. See below page 10 of 10.

Anyone submitting an application to the Planning Board should be aware that the following language is a "standard condition of approval" and will be read and become part of the Board's final approval.

"This approval is dependant upon, and limited to, the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant, (either orally or in writing), and that any variation from the plans, proposals is subject to review and approval by the Planning Board, except for minor changes which the Code Enforcement Officer may approve."

Provided below are relevant portions of the Standish Land Use Code to assist the applicant.

Gravel pit and Site Plan **Elements** Checklist

Part 1, Zoning

§ 181-3 DEFINITIONS:

GRAVEL EXTRACTION — Surface excavation and removal of natural earth resources such as sand, gravel, clay, topsoil etc. which are normally used for purposes such as roads, foundations, construction materials and building site preparation or improvement.

§ 181-16. Gravel pits.E. Type 3 operations:.

E. Type 3 operations: standards for new excavation operations, expansions over five acres and existing excavated areas or areas approved for excavation where the excavated area is five acres or larger.

(2) Permit application requirements.

The following information shall be submitted to the Code Enforcement Officer, who shall verify that the application is complete. Planning Board approval of the permit is required before operations may be expanded. The following information shall be submitted to the Planning Board when applying for a permit. All plans shall be drawn to a scale of one inch equals 100 feet. Map, lot and zone designation shall be on the plan.

(a) The name and address of the current owner of the property.



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- (b) The name and address of the current operator.
- (c) A copy of the deed and lease agreement, excluding financial data, if the operator is not the owner.
- (d) A site plan, drawn to scale, showing the location and boundaries of the existing parcel. The site plan shall include the following information:
 - [1] Boundaries of proposed areas for excavation.
 - [2] Present use of the entire parcel, including existing excavated areas.
 - [3] Present uses of adjacent properties.
 - [4] Type and location of all existing and proposed surface water, including drainageways.
 - [5] Location of all proposed access roads, temporary and permanent structures and parking areas.
 - [6] Location and proximity of all great ponds, rivers, streams and wetlands within 250 feet of the proposed activity.
- (e) The location of existing wells, streams, contours of the land within and extending beyond the boundaries of the parcel for 200 feet. Contours shall be at five-foot intervals, at intervals acceptable for a DEP permit application or at intervals determined by the Planning Board in excavation operations under five acres.
- (f) The depth to seasonal high-water table at the site of the proposed excavation as determined by test borings or test holes to substantiate that the groundwater will not be disturbed.
- (g) The location of all proposed hazardous materials storage areas. Hazardous materials shall be located on impervious surfaces.
- (h) Plans for controlling access to the site. At a minimum, a solid gate with a lock shall be located at the main entrance.
- (i) Provisions for shielding the excavation from surrounding properties with adequate screening or buffering.
- (j) A final rehabilitation plan, including seeding, planting, final grading, shaping and surface stabilization plans, showing contours (at, five-foot intervals) as proposed following completion of the operation, with such plans to be approved by the Cumberland County Soil Conservation Service, a registered professional forester or registered professional civil engineer. The plan shall provide for drainage, erosion and sedimentation control and cost estimate. The proposed use of the property at completion of the project shall be described. A time schedule and cost estimate for rehabilitation shall be included. The time schedule may include reference points rather than specific dates; for example, 30 days from a specific event. Any project which is proposed to operate for a period of time in excess of five years shall be designed to operate in phases, when deemed appropriate by the Planning Board.
- (k) Copies of required state and/or federal permit applications, including Department of Environmental Protection permit, if applicable.
- (l) A performance guarantee covering the cost of the rehabilitation plan and/or compliance with applicable environmental or land use laws. The performance guarantee shall consist of one or more of the following:
 - [1] Letter of credit. An irrevocable letter of credit, in which the Town is named as beneficiary, issued by a state or federally chartered financial institution reasonably acceptable to the Town. Any letter of credit (including any replacement letter of credit) provided hereunder shall permit the Town to make draws thereunder for a period of not less than one year from the date of its



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issuance. So long as the rehabilitation plan has not been fully performed, the applicant shall provide the Town with a replacement letter of credit no less than 30 days prior to the expiration of the term of the letter of credit then outstanding hereunder. All letters of credit required hereunder shall, among other things, provide that the Town may make one or more full or partial draws upon the letter of credit upon the Town's delivery to the issuing institution of a written statement that the applicant has not complied with the terms of the rehabilitation plan and/or applicable environmental or land use laws, or has not provided a replacement letter of credit as required hereunder, and that the remaining amount necessary to fully perform the terms of such rehabilitation, or to pay for costs incurred in bringing the site into compliance with applicable environmental or land use laws, is equal to or greater than the amount of the draw.

- [2] Cash or cash equivalent. Funds deposited with the Town (which shall be held in a non-interest-bearing account until the completion of the rehabilitation plan), funds deposited into a joint savings account between the applicant and the Town, or funds used for the purchase of a joint certificate of deposit. Withdrawals by the applicant shall only be allowed following approval by the Town Manager. Withdrawals by the Town shall be permitted without the applicant's approval, upon the applicant's failure to comply with the terms of the rehabilitation plan and/or to bring the site into compliance with applicable environmental or land use laws, and shall be permitted only to the extent that such withdrawals are necessary for the Town to pay for the same.

The performance guarantee shall be approved by the Town Manager as to financial sufficiency, taking into consideration the estimated time schedule for excavation and cost of rehabilitation, and the Town Attorney as to proper form and legal sufficiency. The performance guarantee shall be released only upon the completion, to the satisfaction of the Town, of the rehabilitation plan and the compliance of the site with applicable environmental and land use laws upon its closing or upon the provision of an acceptable alternative performance guarantee.

- (m) At the same time that the applicant posts a performance guarantee, the applicant shall also pay to the Town the annual Type 3 gravel pit inspection fee as specified in the Standish Fee Schedule, as established by order of the Town Council and as amended by the Town Council from time to time.

(3) Plan review.

- (a) The Planning Board shall initially, and every five years thereafter (see Subsection G), review each application for a new excavation operations permit according to the procedures required by this section. A public hearing shall be held within 30 days of the receipt of a completed initial application.
- (b) The applicant shall demonstrate that adequate provision has been made to safeguard the health, safety and welfare of the community with respect to each of the following:
- [1] Fencing, landscaped buffer strips and other public safety considerations.
 - [2] Signs and lighting designed to prevent public nuisance conditions or undesirable aesthetic effects on the neighborhood.
 - [3] Adequate parking spaces, loading and unloading areas.
 - [4] Safe entrances and exits, including security provisions.
 - [5] Total estimated life of the pit.
 - [6] Daily hours of operation shall be limited to no more than 7:00 a.m. to 7:00 p.m., Monday to Friday; 7:00 a.m. to 4:00 p.m., Saturdays; and no Sunday operations.



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- [7] Methods of operation, removal or processing.
 - [8] Area and depth of excavation.
 - [9] Provision for temporary or permanent drainage.
 - [10] Disposition of stumps, brush and boulders.
 - [11] Type and location of temporary and permanent structures.
 - [12] Storage of any materials (e.g., petroleum products, salt, hazardous materials, rubbish, creosote timber) on the property.
 - [13] Complete rehabilitation proposals.
 - [14] Conformance with site plan review standards.
 - [15] Where considered necessary by the Planning Board, the plan required to accompany the application shall be prepared by a registered professional engineer and/or geologist at the applicant's expense.
- (4) Excavation regulations. New excavation operations shall follow the excavation regulations listed below:
- (a) A buffer strip of 25 feet in which natural vegetation is retained shall be required at the boundaries of the existing parcel.
 - (b) Excavation, except for drainageways, shall be at least 200 feet from any residence.
 - (c) Earth moving or excavation shall be at least 150 feet from any public road unless provisions are made for the construction of the road at a different level.
 - (d) Excavation, except for drainage, shall be at least 150 feet from all lot lines.
 - (e) If written permission of the abutter is obtained, excavation no less than 25 feet from said lot lines may be allowed. In the case of two abutting, working gravel pits, the buffer strip may be eliminated. Each of these agreements require the recording of a covenant deed by both property owners.
 - (f) Excavation shall not extend closer to the seasonal high-water table than allowed by DEP regulations unless approved for a specific purpose (such as fire pond) by the Town and DEP. If standing water already exists in an existing excavated area, no further excavation which will increase the amount of standing water shall occur. If necessary, the Planning Board may request additional information to ensure compliance with this provision.
 - (g) Sufficient topsoil or equivalent shall be retained or provided to comply with the approved rehabilitation plan.
 - (h) No topsoil shall be removed from prime agricultural soils as defined by the Cumberland County Soil Conservation Service.
 - (i) Vehicles transporting excavated material must be properly secured to prevent spillage of material on public roads.
 - (j) All operations under this permit shall be in conformance with Chapter 237, Shoreland Zoning, of the Code of the Town of Standish.
- (5) Rehabilitation requirements. Any operation shall be deemed closed 90 days after its permit expires or the operations cease for one year. The site shall be rehabilitated in accordance with this subsection. The rehabilitation plan shall be completed within one year of closing. Rehabilitation of continuing operations shall be conducted in phases. The following requirements shall be met:



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- (a) Specific plans shall be established to avoid hazards from excessive slopes. Where an embankment remains after the completion of operations, it shall be graded at a slope not steeper than one foot vertical to 2.5 feet horizontal, unless otherwise allowed by the owner's/operator's DEP permit.
- (b) Seeding and/or planting and loaming or equivalent, as approved in the rehabilitation plan, shall be accomplished so that exposed areas are stabilized and erosion is minimized. Retained topsoil shall be used as loam. These areas shall be guaranteed for 18 months, during which time the surety bond shall remain in full force and effect.
- (c) The Board may require that trees be planted for a visual buffer between the project and adjacent properties if a natural buffer does not exist.
- (d) Strippings shall be redistributed over the excavated area, removed from the parcel, burned, chipped or otherwise disposed of as approved in Maine DEP regulations. Tree stumps and grubbing from the site may be used to stabilize the banks. The areas of excavation with solid or broken ledge rock shall be trimmed of loose rock and the bottom of the excavation graded to be compatible with the surroundings.
- (e) The operation shall be contoured so that sediment is not directed into streams or drainageways.
- (f) Grading and restoration shall be completed in such a manner that it will ensure appropriate drainage, prevent standing water and minimize erosion and sedimentation.

F. Renewal of existing excavation operations and new excavation operations.

- (1) After initial permit approval by the Planning Board, annual applications for permit renewal shall be submitted to the Code Enforcement Officer, who shall cause the operation to be inspected by a Maine licensed professional engineer qualified in the monitoring of mineral extraction activities. If following said inspection, the CEO finds that the operation is or has been in violation of current conditions of approval, he or she will investigate the violation(s), and the annual permit application shall be referred to the Planning Board with findings attached for final action on the renewal application. Otherwise, the CEO shall issue a renewal permit. Neither the CEO nor the Planning Board may issue a renewal permit unless and until the following has occurred:
 - (a) The applicant shall pay the Town the annual gravel pit inspection fee applicable to the operation and as specified in the Standish Fee Schedule, as established by order of the Town Council and as amended by the Town Council from time to time; and
 - (b) For Type 2 and Type 3 operations, a performance guarantee in conformance with § 181-16D(2)(j) or § 181-16E(2)(l), as applicable, is in place.Every fifth year, the permit renewal must be approved by the Planning Board. At the five-year review, the Planning Board may delete, revise or add to any conditions of approval governing those areas where the operation has been found to be in violation of the original permit. If expansion is proposed beyond the original plan, the applicant must obtain a separate permit from the Planning Board.
- (2) The initial application fee, annual renewal fee, annual inspection fee and other fees to cover engineering review and administrative costs shall be determined by the Town Council and published in the Town Fee Schedule. Annual renewal fees, annual inspection fees and other applicable fees shall be paid on or before the date established by the Town Council in the Fee Schedule thereafter, as long as the operation continues.
- (3) All renewal permits shall take effect on July 1 of each year.
- (4) Unless renewed, all permits issued hereafter shall expire on June 30 of each year.
- (5) Change of owner or operator requires a notification to the CEO within 30 days. All prior conditions of



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operation shall continue to apply.

- (6) In the event of change of operator or owner, excavation operations may continue, provided that the following standards are met:

- (a) All standards and conditions issued with the excavation permit are met.
- (b) The new owner and/or operator meet with a representative from the Town, such as the CEO, to explain the terms of the excavation permit.
- (c) If the ownership of the operation changes and the performance guaranty is returned to the former owner, a new performance guaranty, in accordance with Subsection G below, shall be established with the Town within 30 days of the purchase date.

G. Waiver of provisions. The Planning Board may for good cause shown, waive any provision of this section except setbacks upon determining that such waiver will not violate the purpose of said section.

§ 181-16.1. Blasting.

A. Purpose.

- (1) The purpose of this section is to minimize the effects of airblast overpressure, ground vibration, dust and noise associated with blasting which may be detrimental to individuals and the community in the enjoyment of life, property and the conduct of business through the establishment of standards and notice requirements of blasting operations.
- (2) It is also the intent of this section to prevent permanent damage to the geologic, hydrogeologic and wildlife resources and ecological balance in the region and to have a process which can be effectively and efficiently administered without causing undue financial and administrative hardship to blasting operators.

<i>Part 2, Site Plan Review</i>

§ 181-73. Site Plan Conditions for approval.

No final site plan shall be approved unless, in the judgment of the Planning Board, the applicant has proven that all of the following conditions are found to exist regarding said plan:

- A. The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways will not create hazards to safety nor will impose a significant burden upon public facilities.
- B. The bulk location and height of proposed buildings and structures and the proposed uses thereof will not be detrimental or will impose undue burdens on the public facilities.
- C. The provisions of on-site landscaping and screening do provide adequate protection to neighboring properties from detrimental features of the development.
- D. The site plan adequately provides for the soil and drainage problems that the development will create.
- E. The provisions for exterior lighting will not create undue hazards to motorists traveling on adjacent public streets nor are inadequate for the safety of occupants or users of the site nor will such lighting damage the value and diminish the usability of adjacent properties.



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- F. The applicant has provided reasonable evidence of his financial capabilities to complete the development as planned and approved.
 - G. The proposed development will not create undue fire safety hazards by not providing adequate access to the site or the buildings on the site for emergency vehicles or by failure to meet other fire safety ordinances or laws. The Fire Department shall file a written report with the Planning Board prior to the hearing.
 - H. The proposed development has made adequate provision for sewage disposal.
 - I. The proposed site plan will not alter the existing character of the surrounding zoning district or division to the extent that it will become a detriment or potential nuisance to said zoning division or district.
 - J. The proposed development has made adequate provision for water supply, including an adequate supply of water for fire-protection purposes.
 - K. No plan shall be approved by the Planning Board as long as the applicant is in default on a previously approved plan.
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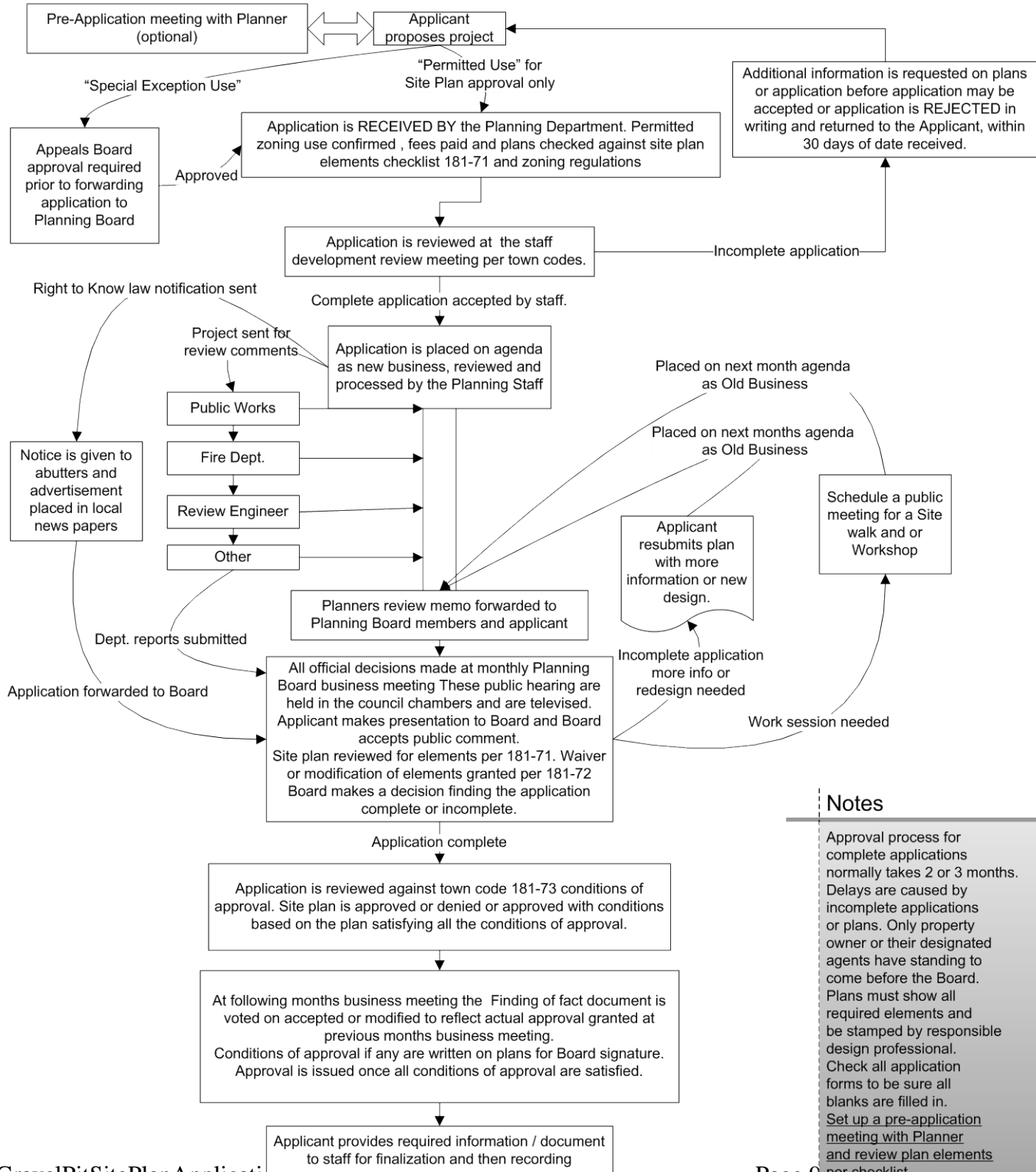


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Site Plan approval process flow chart

Approval process for complete applications takes approximately 3 months so plan your construction project accordingly.



Notes

Approval process for complete applications normally takes 2 or 3 months. Delays are caused by incomplete applications or plans. Only property owner or their designated agents have standing to come before the Board. Plans must show all required elements and be stamped by responsible design professional. Check all application forms to be sure all blanks are filled in. Set up a pre-application meeting with Planner and review plan elements per checklist. Planning Board fee Schedule is set annually by Town Council. Questions call Planning 642-3461



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PLANNING BOARD AGENT AUTHORIZATION

If you are the acting agent for the property owner, we need written documentation granting you the authority to do so. Please have the Property Owner fill out the following form.

PLANNING BOARD AGENT AUTHORIZATION FORM

Dear Standish Planning Board Members:

I / We being the undersigned owners of property described by Standish tax map _____ and lot # _____ and located at _____ do hereby appoint and empower to act _____
(Street address development site) (Firm or Individual)
as an agent on my / our behalf as the owner(s) of the proposed subdivision / land development plan referred to as _____.
(Name of development / project / plan)
The agent for the above plan is empowered to make all decisions about the plan, including but not limited to: authorizing incurring costs for professional services as the billing of plan review and inspection fees by the Town or its representative, requesting extensions of time for review, and accepting conditions of approval imposed or requested by the Board of in considering the approval of the plan. Agent's decisions and actions are binding upon the owner(s) or the proposed subdivision / land development plan.

Sincerely,

Property Owner #1: _____ - _____ - _____
(Please print name) (Property owners signature) (date)

Property Owner #2: _____ - _____ - _____
(Please print name) (Property owners signature) (date)

Property Owner's Address: _____
(Home Street address – City, State, zip)

Property owner's Telephone: _____ work: _____
(Home phone number) (Work phone number)

Authorized agent: _____ - _____ - _____
(Print name agent) (Signature of authorized agent) (Month, day, and year)

Agent address: _____ - Agent Phone #: _____
(Business Street address – City, State, zip) (Work phone number)

Witness printed name: _____ - _____ - _____
(Print name Witness) (Signature of Witness) (Month, day, and year)

Witness information: _____ - _____
(Phone # witness) (address witness)