

Planning Board Meeting Minutes 07-06-2015

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The meeting was called to order by Chairman Brian Libby at 7:00pm. Present were Mike Willette, Alberta Byrnes, Carol Billington, Adam Higgins, Cindy Beckwith, Bud Benson Town Planner, and Jackie Dyer, secretary to the Planning Board. Absent was Alta Harding.

The first item on the agenda was the election of a new Board Chairman. Mrs. Byrnes nominated Mrs. Billington and seconded by Mrs. Beckwith. All in favor. Mrs. Billington asked for nominations for vice chair. Mrs. Byrnes nominated Brian Libby and this was seconded by Mrs. Beckwith. All in favor.

Approval of Meeting Minutes from June 01, 2015 and continued meeting from June 08, 2015.

Mrs. Billington asked for approval for the meeting minutes for the June 1, 2015 meeting. Mr. Libby made a motion to approve as written. This was seconded by Mrs. Byrnes. All in favor. Mr. Libby made a motion seconded by Mr. Willette to approve the meeting minutes from the continued meeting on June 08, 2015. All in favor.

Approval of Finding of Fact :

- Robert & Beverly Beedle, 185 White Point's Rd. Map 57, Lots 3 & 105, Shoreland Zoning Application
- Van E. Hertel, Jr., 440 Boundary Rd., Map 12, Lot 3, SubDivision Application, Proposal to add three more lots (Burnham Ridge Subdivision)

Mr. Libby made a motion seconded by Mr. Willette to waive the reading and approve the Finding of Facts as written. All in favor.

New Business :

- Cargill Lot Beach & Ice Fishing Access Facility, Final Site Plan Approval with minor changes added from DEP approval

Andy Morrell from BH2M was present to represent the applicant, the Town of Standish. He gave a brief overview of the beach project along with some minor changes. He said they received preliminary approval back in December and they have received what they need from DEP and the Army Corp. of Engineers. He said the changes are minor: the road name has been changed to Newbegin Way in honor of Wayne Newbegin. The name of the facility will now be the John Rich, Jr. Memorial Beach and Ice Fishing Facility, in honor of John Rich Jr. They have been working on the access for the snowmobile trail and the DEP had wanted more detail. They have settled on a final location for the trail at a different location than the original plan, across the access road by Harmon's Beach Road for 500-600 feet and then go onto an existing logging road. They chose that site because of the slopes and grades, plus with the existing road already there, it was less impact as far as removing trees, vegetation, etc. That road will be followed another 500-600 feet and then comes down to the lake. There were some other wetlands delineated and additional rocks added like in the parking area. The DEP was concerned that the Town would dump snow into the filtration area, so they have some collection basins similar to what they had on the previous designs.

Mr. Benson said the changes are minor, but they have done a great job with this project.

Mrs. Billington asked for comments and there were none. Mr. Libby made a motion seconded by Mr. Willette that the application is complete. All in favor. Mr. Libby moved that the application meets all of the standards for final approval, seconded by Mrs. Byrnes. All in favor.

- Maietta Gravel Pit, Richville Road, Map 16, Lots 11 & 12, 5 year gravel pit renewal

Vincent Maietta, president of Maietta Enterprises, was present to represent himself. This application is for a 5 year gravel pit renewal. He said there was very little change over the past five years and they have hauled out very little of anything.

Mrs. Billington said that this is strictly a five year review/renewal of the gravel pit and that's all. She said that they are already aware that there are problems out there with the noise and also with the amount of shooting in the past. She said the Planning Board is not the one to bring those to.

Russ Taylor came forward and said he wanted to speak about policies with gravel pits. He brought up changing the use of the pit and coming to the Board about it. He spoke about site work and plans, would he have to come to the Board about that. Mr. Benson explained the process to him about plans, applications, etc. Mrs. Billington asked him if this were being asked as though he owned the gravel pit. He asked that if he ran something in the pit (ice cream shop), and the Town didn't know, what would be the repercussions. Mrs. Billington and Mr. Benson both told him that would be up to the CEO as to what would happen and it also would be a violation. This business would have to stop until the proper permits were issued.

He went on to say that in the pit, a commercial use was happening as a shooting school. He wanted to know if this was permitted. Mr. Benson said this was not for this meeting, as this meeting is about the gravel pit renewal and standards. He said that Mr. Maietta did receive a cease and desist order from the CEO and the shooting had stopped by Weapon Craft. He said the Sheriff's Dept. and the State police do go in there and shoot for training. Mr. Taylor said the CEO was aware of all of the shooting and at first hadn't done anything. He said he came to Town Hall and filed a complaint with the Town. He said people have moved because of this. He also said he found the Weapon Craft schedule on line and should have happened immediately, not in September when they went back to school.

Mrs. Billington said the Town does not patrol for violations, they are reported by residents and others and then acted upon if there is a need. Mrs. Taylor said that people complain about boat noise and then gun noise. He said years ago there was a rock crusher in the pit and it caused a lot of noise. He asked how many acres can be open in a pit and Mr. Libby told him 10. He said this pit had 23 at one time, with special exception, and now has it closed to almost 10. Mr. Benson said this is a rough estimation from an aerial photograph. He said there has been some reclamation in the past five years.

Mr. Benson said that there is historically a thing in many towns where people go to gravel pits to shoot and site in rifles. He also said that Mr. Maietta has allowed people on his property to shoot, but the business that had operated should not have been allowed to do so. Mrs. Billington said that this knowledge of what went on in the gravel pit is past history and you cannot go back in time and this is not what is before the Board tonight. What happened cannot be changed. Mr. Libby said the Board does not enforce anything and it's up to the CEO. Mrs. Billington and Mr. Libby said if there are issues, he needs to contact and go to the Town Council.

Mr. Taylor said there are some potential issues with things supposedly being buried in the pit, things being hauled into the pit and other stuff. He said that he and others feel these should be addressed before the 5 year pit renewal is issued.

Mr. Maietta said that people talk about things and he feels that what Mr. Taylor was speaking about was an exaggeration about a commercial use and what happened. He said that he allows people from his family to shoot there, the sheriff's department shoots there and he will allow people to continue to shoot there, rather he has a pit or not. He said the CEO had called him about this and didn't just send him a letter.

Mr. Maietta said that in response to the water and the wells, he is in excess of more than 20 feet above the water table. He said when people state things that aren't true, it is upsetting to him. He said there are not any dead bodies buried there and there is an inspection done every year and he has no violations in any of the reports. He said these are sent to the Town as well as to the State of Maine and they have no marks against them. (A copy of the report was furnished to the Planning Board about the gravel pit and inspection, by Mr. Benson, prior to the meeting.) He said the Town hires an independent firm and this is done yearly. Mr. Maietta is sent the bill and also a similar report from the DEP is sent to the Town.

Mr. Benson said that one of the items is ground water protection. He said there is some standing water there or has been some as there is evidence of some cat-o-nine tails starting. He said it is minor. He said that there might be a quarter of an

acre in two locations where there has been some standing water. He also said in the area of the pit, he really couldn't confirm where the wells are, as there is nothing on the westerly corner and that's where the pit expansion seems to be going. He said he doesn't necessarily agree with the water table elevations, as they were done a long time ago.

Mr. Maietta said the pit is almost exactly the same as it was back 5 years ago. He said he knows where the water concern is and the exact area. He said the water doesn't penetrate the top soil and filter into the ground, so after some rain it sits there and turns into a mud puddle. He said the monitoring well there is more than 15 feet deep and the least has been 10 feet and an inch. He said this is the same conversation and the same concern from 5 years ago. He said that this is the low end and the Route 114 side is 20 feet higher. He said they haven't put wells there yet, but will if that is a must. He said those areas that puddle will have a well, if needed.

Mrs. Billington said the other issue is a reclamation issue and that is based upon the top soil/loam staying on site. Mr. Maietta said that the top soil is still there and hasn't been removed. He said some of it has been used, but the rest is right where it has been. He said none has left and none will leave. He said they did remove the crusher, and the pit seems to be a peaceful area. He said there is less noise than there used to be and that is what people got used to. He said he plans to keep the pit open and haul material out of there someday. He said they feel they are at least 20-25 feet above the water table. He said once they get the last corner dug out, they will put in a new well and be able to see exactly where the ground water is. They have already had a hydrologist look at the site and the monitoring of the ground water.

Mrs. Billington said she feels that a site walk is necessary and the Board agreed. Mr. Willette made a motion seconded by Mr. Libby to have a site walk. All in favor. This was scheduled for Monday, July 13, 2015 at 6pm followed by a workshop if necessary. She said the public is welcome to attend.

- **Pompeo Gravel Pit, Fort Hill Road, Map 14, Lot 54-1, 5 year gravel pit renewal**

John Pompeo was present to represent himself. He said that the pit hasn't changed much, they have no water table issues and have stayed within the correct number of acres without going outside. He said he feels there are no issues with the pit.

Mrs. Billington asked if it was active and he said yes. Mr. Benson said he has looked at the site and there is very little increase in the area of the pit. His only concern is one area where there is some water, but it's at the lowest level of the pit. He said that it's hard to tell where the water table is going and he needs to come up with a few more monitoring wells, so they can see exactly where any water is going.

Mr. Pompeo says there is a village line that goes through the middle of the pit and they haven't crossed that line yet. Their idea is to go to the line, not over it, go to the bottom and that will be a long ways away from now. He said they will drill wells then, but looking at that being a long way out.

Mrs. Billington asked even though there are no big problems with this pit, did the Board want to do a site walk. They all agreed that they did and this was scheduled for Monday July 13, 2015 @ 6:45pm.

Mrs. Billington welcomed new Planning Board member Adam Higgins.

A motion was made by Mr. Libby and seconded by Mr. Higgins to adjourn the meeting. All in favor. Meeting was adjourned at 6:42pm.