

Town of Buxton Planning Board

Monday August 12, 2019 at 7 p.m.

Minutes recorded by Kandice Talbot

Members in attendance: Keith Emery, Chris Baldinelli, David Field, Craig Lefebvre and Joseph Rench

Members absent: None

Others in attendance: William York, Jim Logan, Longview Partners, LLC, Patrick Shaw, Gorham Sand & Gravel, Henry Huntley, Cliff Thomas, Feilong Zheng, Kelvin (Feilong Zheng's son) Cheryl Hall, Brian Hall and Peter Gordon, Code Enforcement Officer

Chairman Emery called the meeting to Order at 7:00 pm with the pledge of allegiance.

1. Peter Pinkham is requesting review of a proposed single family subdivision off of Lord Road. The property is 10.05 acres in size. Located in the Rural District; Tax Map 11 Lot 8F-2.

Chairman Emery wanted to let everyone know that he used to work for Peter Pinkham, but it has been over 20 years since I have.

Jim Logan, Longview Partners, LLC, gave an overview of the project. Discussed buildable areas will be shown on the plan for the next meeting. They are asking for the Planning Board to waive hydrogeological well review and the high intensity soil survey. He mentioned that both lots would have individual driveways.

Mr. Lefebvre felt individual driveways would work well.

Chairman Emery had a question about the dates on the subdivision plan...January 11, 2018 vs. January 11, 2019?

Vice Chairman Baldinelli asked if the brook on the site was a tributary to the Saco River and if so does it have to be reviewed by the Saco River Corridor.

Ms. Talbot explained the Board was reviewing a two-lot subdivision because the original lot is the homestead lot and does not need to be reviewed by the Planning Board.

Vice Chairman Baldinelli made a motion to hold a site visit for the Pinkham Subdivision off of Lord Road on Wednesday, August 14 at 6:30 p.m. Mr. Field seconded the motion. The Board voted 5-0 to approve the motion.

2. Gorham Sand & Gravel (STJ, Inc.) is requesting an amendment to their conditional use permit to temporarily expand their operating hours at Phinney Pit on Parker Farm Road. Gorham Sand & Gravel will be working on the Main Street Project in Gorham. The Maine Department of Transportation has dictated that all work be conducted at night. The job was scheduled to start on July 28th and continue through to October 31, 2019. The typical start and end time on the job would be 8 pm to 6 am. There will be no crushing or screening of material. The property is located in the Village and Rural District. Tax Map 2, Lot 67.

Patrick Shaw, Gorham Sand & Gravel was at the meeting to answer any questions. He explained that it was originally bid as a daytime job. Once they were awarded the bid, they were told by the State they had to work at night.

Mr. Field asked how many trucks they would be using.

Mr. Shaw said 3-4 trucks at peak time.

Mr. Lefebvre asked how many loads nightly?

Mr. Shaw said there is a stockpile at the construction site, however, if the stockpile becomes depleted there could be 10-15 loads a night.

Chairman Emery said to make sure the speed stays down, try to minimize backing up and backup alarms and slamming of tailgates.

Mr. Lefebvre requested they try to replenish the stockpile during the daytime.

Mr. Shaw stated that they started night work 2 weeks ago and we have not had to load from the pit so far. He also mentioned that all of the trucks have, what they call white noise quackers. These quackers produce 25% less noise than the conventional back up alarms. He said they have it set up so if they need to get a load, the truck will pull in and pull out to avoid backing up.

William York, Webster Road, said he is concerned with them working at night. As it is, he gets woken up by this pit a lot of mornings before 5:00 a.m. They have had a tanker truck delivering bulk fuel at 5:00 a.m. and them coming back up the pit road is very noisy. He mentioned dust is a problem. Also, Gorham Sand & Gravel have a pit in Gorham, why can't they use that pit. When the loader is backing up toward the building, the backup alarms echo against the building and are very loud.

Mr. Field asked if the applicant has been putting calcium down on the roads and are they willing to back up toward the banking, not the building?

The Planning Board then discussed the potential conditions of approval:

- Gorham Sand & Gravel (GS&G) will have no more than four (4) trucks going in and out per night.
- GS&G will be required to position the loader in a way such that it won't echo toward Webster Road.
- GS&G will make sure calcium is set down to eliminate dust being an issue.
- GS&G will allow no banging of tailgates within the pit at night. If there is a possibility the tailgate will slam, park the truck until daytime hours.
- Nighttime work must be done by October 31, 2019. GS&G may not ask for an extension.

Vice Chairman Baldinelli made a motion to expand Gorham Sand & Gravel's request for an amendment to temporarily expand their operating hours at Phinney Pit on Parker Farm Road from 8:00 p.m. to 6:00 a.m. until no later than October 31, 2019 with the conditions as mentioned. Mr. Field seconded the motion. The Planning Board voted 5-0 to approve the motion.

3. Feilong Zheng, owner of Panda Market located at 651 Parker Farm Road, is proposing an amendment to the Conditional Use approval. The amendment is to construct a 20 ft. x 25 ft. accessory storage unit. The property is 2.04 acres in size and located in the Village and Business Commercial Design Standards Overlay Districts. Tax Map 2 Lot 91F.

Kelvin, the owner's son, discussed they had purchased Panda Market convenience store and gas station approximately two (2) years ago. We carry many Asian foods and snacks that cannot be found locally and we have clientele who come from Portland, South Portland, etc. to purchase these items. We get our goods typically from Boston and New York and have to order large amounts, because it would not be feasible to drive there and bring back a small quantity of items. They would like to construct a 20 ft. x 25 ft. accessory storage unit to store the large amount of goods they purchase. He then went on to mention that they have a metal storage container on site that the Code Enforcement Officer had asked them to remove. He asked the Board if they could use the container as temporary storage at this time.

Chairman Emery said that they could, however once approved a condition would be placed on it that they would have to remove the container 10-15 days after the accessory storage shed has been completed.

The Planning Board also discussed they would have to get in touch with the Business Commercial Design Standards Committee because the property is located in the Business Commercial Design Standards Overlay District and they will need to review the exterior design of the accessory storage container. They would also need to make sure the Fire Department did not need anything from them. They told the applicant when they were ready to come back to submit the additional info to the Code Enforcement Office.

4. CEO Report

Mr. Gordon, CEO, mentioned that Berube Builders Roads for Colony Lane and Ferncroft have everything completed for the road except for final pavement. Once they have done that then the Board of Selectmen can accept the streets as Town Roads.

Mr. Gordon also mentioned that he has gone out to Gorham Sand & Gravel pit when Mr. York has called and complained. He said that he has gone to the berm along Webster Road and could not pick up any noise by ear or by machine. Mr. Gordon also stated he was thinking of mentioning to the Board of Selectmen they should hire a private investigator to see if the Pit Owners are working outside of their hours.

5. Approval of Minutes

Vice Chairman Baldinelli made a motion to approve the April 8, 2019, April 22, 2019 and April 29, 2019 minutes as written. Mr. Field seconded the motion. The Planning Board voted 4-0-1 (Rench abstained) to approve the motion.

6. Approval of Bills

None

7. Communications

Chairman Emery discussed the SMPDC Newsletter and the Planning Board expense sheet which was included as communications.

8. Other Business

Shoreland Map

Chairman Emery discussed that Mike Morse and Rich Streeter have worked on the map and there are 9 areas that will need to be field verified. There will be an additional cost for field verification if they had Mike Morse do. He outlined in a memo the Planning Board option.

Cliff Thomas, Long Plains Road asked the Planning Board to hold another workshop and possibly go over the areas that need field verification by looking at the satellite maps from Google maps.

9. Attendees may address the Board on the evening's business:

Adjourn

Mr. Field made a motion to adjourn at 8:13 p.m. The motion was seconded by Mr. Lefebvre. The Planning Board voted 5-0 to approve.

Approval Date: _____

Keith Emery, Chairman

Date

DRAFT