

PLANNING BOARD MEETING MINUTES

1/8/15

Public Hearing: Public Hearing on Brendan Messier's CUP request

The applicant did not appear. A member of the public, Carolyn Reynolds, appeared for the public hearing. She stated that she was concerned about the storage of materials outside, waste and junk in the yard, and traffic levels on Frost Heave Road. Norm Blake informed her that the Board would not have a formal public hearing this week because the applicant had not appeared and that he would attempt to contact the applicant to appear on 1/8 (and would let Ms. Reynolds know if the applicant was going to appear).

Chair Norm Blake closed the public hearing.

Planning Board Meeting:

Attendance: Norm Blake, Fred Miner, Jo Pierce, Bob Flint and David Strock

MOTION: Jo moved to waive the reading of the minutes of the prior meeting, which had been distributed to the Board members prior to the meeting. With a seconded, the Board unanimously passed the Motion.

First Item: The CUP of Woods regarding Pellet Mill.

Glen Reynolds, a Board member currently in Florida who recused himself from consideration of the Woods' CUP, sent an email commenting on various parts of the last meeting minutes. Since the public comment period had closed, the Board decided Mr. Reynolds' submission was out of order and not to accept it.

Fred Miner raised the issue of future railroad access to the Woods' mill facility. Norm stated that this would be a material change and the applicant would have to come back to the Board for a modification of the CUP.

The Board then discussed the wording of the individual conditions to be contained in the CUP, the results of which are set forth on the attached final CUP unanimously approved by the Board.

Second and Final Item: Motion to Adjourn, which passed unanimously.

CONDITIONS FOR WOODS' MILL
Conditional Use Permit

1. Standard Conditions, a copy of which are attached.
2. The Applicant shall be required to perform drinking water testing. The Applicant shall test at four (4) off site locations on adjacent properties, including the properties currently owned by G. Reynolds, R. Day, S. McLaughlin, and a site to be determined by the Planning Board. The applicant also shall have a test site on its property.

Testing Procedure: First, a test shall be performed at each site before the Applicant starts construction to establish a baseline. Second, the Applicant shall conduct a test six (6) months after the first test is performed. Third, the Applicant shall perform tests annually on the anniversary of the first test.

Type of Test: All tests shall be at least sufficient to determine that the water is safe for human consumption.

Distribution of Test Results: The Applicant shall supply the test results to the owners of the property on which the test was performed and a copy of each test to the Planning Board.

Any water test required to demonstrate compliance with this condition will be done by an individual mutually agreed to by the Applicant and the Board and will be paid for by the Applicant.

3. Hours of operation: The attached diagram identifies a red area in which Applicant may operate 24 hours a day, seven days a week. Outside of the red area, Applicant may operate from 6 a.m. to 8 p.m., Monday through Friday and 8 a.m. to 6 p.m. Saturday and Sunday. There shall be no activity outside of red area outside of the approved hours of operation.
4. Sound mitigation: Wooden barriers of some kind, a minimum of 16 feet high, placed to mitigate sound in excess of permitted levels, and a maximum sound average of 45 decibels from 7 p.m. to 7 a.m. and 55 decibels from 7 a.m. to 7 p.m., to be measured at the property line in accordance with DEP procedures.
5. Lighting: All lighting shall be pointed inward and downward, using shielded lights and motion controlled lights where practicable.
6. All building stacks and structures to be painted or colored a dark, non-reflective color.
7. Wood Ash Storage: All wood ash storage to be accomplished to prevent ash from blowing, leeching, and other potentially negative consequences of poor storage of ash.

8. The Applicant shall report in writing to Baldwin Fire Department any storage of flammable or hazardous materials.
9. The Applicant shall not have standing traffic in the zone that Town personnel could use to access the sand area. The Applicant must mark such area, which shall be designated by the Baldwin Road Commissioner.
10. Signage: The Applicant shall have a sign no bigger than 20 square feet, with the ability to use both sides of the sign. Any illumination shall not be directed at traffic or directed up in the air.
11. The use must be consistent with stated use in the CUP application, including, but not limited to, the size, intensity of use, and Section B of application, to the extent not expressly modified in this CUP.
12. The size and location of the facility shall be substantially similar to the diagram provided by the Applicant, a copy of which is attached.
13. Access to the facility shall be restricted to the two roads off of Route 113 that were designated in the original submission (one across the Town's property and the other a pre-existing logging road). Main access road shall be up to DOT state highway standards.
14. The Applicant shall not utilize the railroad without returning to the Board to request a modification of the CUP.

STANDARD CONDITIONS FOR CONDITIONAL USE

To the Applicant: These Standard Conditions will apply to your conditional use approval. To the extent applicable, these conditions are *additional to* and supplement any specific provisions which the Planning Board may have imposed upon your approval.

1. The Applicant shall carry on the permitted activity in accordance with the description thereof in the application, and in accordance with the documentary and/or testimonial representations presented by the Applicant in connection with the proceeding. Substantial compliance with the description of the activity and representations is a condition of Approval. Any undisclosed and unapproved use of the premises (even if otherwise accessory to the approved use), or any substantial deviation from the activity or representations described in connection with this Approval shall be deemed a violation of the Land Use Ordinance, and may result in revocation of the Approval.
2. By acceptance of this Conditional Use Approval, the Applicant consents to the inspection by the Code Enforcement Officer of all non-residential areas of the premises at reasonable times (with or without prior notice) for the purpose of determining compliance with the conditions of the Approval or any provision of local, state, or federal law. This consent shall not be withdrawn unless the Applicant abandons the approved use, and notifies the Town in writing delivered to the CEO that the activity will not be resumed without a further approval by the Planning Board. Failure to allow any such inspection by the CEO may result in revocation of the Approval.
3. If the Approval is specifically conditioned upon physical improvement of the premises, obtaining of insurance, or other requirement, the activity authorized hereunder shall not be commenced until the Applicant demonstrates compliance with each of the conditions to the CEO, and receives a certificate of occupancy from the CEO evidencing that all conditions have been met. Commencement of the approved activity prior to obtaining such certification may result in revocation of the Approval. Failure to utilize or maintain such physical improvement, insurance, or other requirement thereafter may result in revocation of the Approval.
4. The Approval shall lapse and become null and void if the use authorized by the Approval is not commenced within one (1) year of the date of approval, or if the use is abandoned for a period of one (1) year thereafter. Where there is good cause for the delay, or the discontinuance, and there is no evidence of intent to abandon the use, these requirements may be extended for additional periods not to exceed one (1) year.
5. The Planning Board may schedule a hearing (upon reasonable notice to the Applicant and the public) to determine whether: there is a violation of the Approval or any the condition thereof (including those contained herein); or any other violation of any provision of local, state, or federal law. If the Board determines that a violation has occurred and is either continuing or is likely to recur, the Board may rescind this approval or take such other action to amend or modify the Approval as the Board deems appropriate to protect the public health, safety, or welfare.

Town of Baldwin, Maine Application for Conditional Use Permit

The Land Use Ordinance of the Town of Baldwin allows the Planning Board to grant a Conditional Use Permit for those uses listed specifically as Conditional Uses in Article 6, District Regulations of the code. Before granting a permit, the Board must find that the standards contained in Article 8, Conditional Uses have been met. It is your obligation to submit the necessary materials to allow the Planning Board to determine if those standards have been met. Three copies of the complete application and supporting materials and the applicable fee shall be submitted to the Code Enforcement Officer.

Section A. Basic Information (to be completed by all applicants)

1. Applicant's Legal Name Dean Wood and Anthony Wood
2. Applicant's Mailing Address 5 Brown Road
West Baldwin, ME, 04091
3. Phone number where applicant can be reached during business hours 207-286-5003 / 207-210-7805
4. Are you the owner of record of the property for which the Conditional Use Permit is sought?
 yes (provide copy of title and go to Question 8)
 no (answer Questions 5, 6, and 7)
5. To apply for a Conditional Use Permit, you must have legal right, title or interest in the property. Please indicate your interest in the property and attach written evidence of this interest.
Owner, Warranty deed attached.
6. Property Owner's Name Dean Wood and Anthony Wood
7. Property Owner's Address 5 Brown Road
West Baldwin, ME, 04091
8. Location of property for which the permit is sought Route 113, West Baldwin, ME
9. Indicate the Map and Lot number for the property from the Town's assessment records
Map 5 Lot 43F
10. Indicate Zoning District in which the property is located (check as many as apply)
 Natural Resource Protection
 Highlands
 Rural
 Village Commercial

11. List the use for which a Conditional Use Permit is being sought. Please refer to Article 6, District Regulations. The proposed use must be specifically listed as conditional use in the District in which it is located.

Manufacturing, Commercial Wood Processing
Warehousing, Storage and Distribution

12. Attach the following information to this application as outlined in Article 8, Conditional Uses. For each item, please indicate by checking that item that it has been included with your application.

- a. A location map showing the location of the property with respect to roadways and major natural features. This map should allow the Board to locate the parcel in the field and on the Town's zoning and tax maps.
- b. A written description of the proposed use of the property. This statement shall describe the exact nature of the proposed use.
- c. An accurate, scale drawing of the lot showing the location of any existing or proposed buildings, structures, and natural features, driveways and parking areas.

Section B. Standards for a Conditional Use Permit (The full text appears in Article 8.3)

1. The Planning Board shall consider impact:

- a. the size of the proposed use compared with surrounding uses;
- b. the intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses;
- c. the potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances;
- d. unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;
- e. the degree to which landscaping, fencing, and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.

2. The Planning Board shall consider facilities:

- a. the ability of traffic to safely move into and out of the site at the proposed location;
- b. the presence of facilities to assure the safety of pedestrians passing by or through the site;
- c. the capacity of the street network to accommodate the proposed use;
- d. the capacity of the storm drainage system to accommodate the proposed use;
- e. the ability of the Town to provide necessary fire protection services to the site and development.

3. The Planning Board shall consider natural characteristics:

- The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and flood plains, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or to neighboring properties.

Section C. Shoreland Standards

Section to be completed only if any portion of the property is located within 250 feet of the normal high water mark of Ingalls Pond, Sand Pond, Southeast Pond, Adams Pond or the Saco River or within 75 feet of any stream. For each standard, attach a written statement demonstrating how the proposed use complies with that standard. For each item, please indicate by checking that item that it has been included with your application. Each standard must be addressed in your submission.

- a. will not result in unreasonable damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- b. will reasonably conserve shoreland vegetation;
- c. will reasonably conserve visual points of access to waters as viewed from public facilities;
- d. will conserve actual points of public access to waters;
- e. will reasonably conserve natural beauty;
- f. will reasonably avoid problems associated with floodplain development or use.

Section D: Certification (to be completed by all applicants)

I/we Dean Wood and Anthony Wood, certify that I/we are the legal applicants for the conditional use permit requested by this application, that I/we are the owners of the property covered by this application or have the property owner's consent to the filing of this application and have legal interest in the property and that the information contained in this application and supporting materials is accurate and true.

I/we further certify that I/we have read the standards for granting of Conditional Use Permits contained in the Land Use Ordinance.

<u>Dean Wood</u>	7/21/14 10/9/14
Signature of Applicant	Date
<u>[Signature]</u>	7/21/14 10/9/14
Signature of Applicant	Date

Date Received by Baldwin Planning Board:

Received by:

Public Hearing Date:

Conditional Use Permit Application of:

Permit Denied (date):

Explanation:

Permit Approved (date):

Conditions to Permit if any

Signature of Applicant

Planning Board Signatures (three signatures needed)

Blank lined area for signatures.

SHORT FORM WARRANTY DEED

Clarence L. Hanscom of Baldwin, Maine and Leslie J. Hanscom, of ^{Powassal} Baldwin, Maine, FOR CONSIDERATION PAID, grant to Anthony Wood, whose mailing address is 5 Brown Road, West Baldwin, ME, and Dean B. Wood, whose mailing address is 5 Brown Road West Baldwin, ME, as joint tenants and not as tenants in common, with WARRANTY COVENANTS, certain real property, together with any improvements thereon, located on Route 113, Baldwin, Cumberland County, Maine and more particularly described on Exhibit A attached hereto and made a part hereof. *af*

See attached Exhibit A.

WITNESS our hands and seals this 4th day of October, 2013.

WITNESSETH:

[Handwritten signature]
Name: _____
[Handwritten signature]
Name: _____

[Handwritten signature: Clarence L. Hanscom]
Clarence L. Hanscom

[Handwritten signature: Leslie J. Hanscom]
Leslie J. Hanscom

State of Maine
County of Cumberland, ss.

October 4, 2013

PERSONALLY APPEARED the above-named Clarence L. Hanscom and acknowledged the foregoing instrument to be his/her free act and deed.

Before me,

[Handwritten signature: Auralee J. Bussone]
Notary Public/~~Attorney-at-Law~~
My Commission Expires:

AURALEE J. BUSSONE
Notary Public, Maine
My Commission Expires July 11, 2012

2019
[Handwritten initials]

Exhibit A

A certain lot or parcel of land situated on the Southerly side of Route 113 and the Northerly side of Maine Central Railroad - Mountain Division, in the Town of Baldwin, County of Cumberland and State of Maine being more particularly described as follows:

Beginning at a 5/8" capped rebar (#1328) set in the ground at the Northwesterly corner of land previously conveyed to McLain on the Southerly side line of Route 113;

Thence S 14°03'54" E along the Westerly boundary of land of the said McLain 349.14 feet to the Northeasterly corner of land previously conveyed to Buzzell;

Thence S 60°35'15" W along the Northerly boundary of land of the said Buzzell 831.12 feet to the Northwesterly corner of land of the said Buzzell;

Thence S 13°18'08" E along the Westerly boundary of land of the said Buzzell 300.00 feet to the Southwesterly corner of land of the said Buzzell on the Northerly side line of Maine Central Railroad - Mountain Division;

Thence S 76°41'52" W along the Northerly side line of the said railroad 870.08 feet to a point;

Thence continuing along the Northerly side line of the said railroad following a curve to the right with a radius of 3774.51 feet a distance of 1164.39 feet to a point;

Thence N 85°47'04" W continuing along the Northerly side line of the said railroad 2410.58 feet to a point in the center of Polly Brook;

Thence following the center of the said Polly Brook in a generally Northerly direction 727 feet more or less to a 3/4" iron pipe found set in the ground at the Southwesterly corner of land now or formerly of the Town of Baldwin;

Thence N 50°19'19" E along the Southerly boundary of land of the said Town of Baldwin 461.71 feet to a point;

Thence N 47°48'47" E continuing along land of the said Town of Baldwin 176.71 feet to a point;

Thence N 49°54'09" E continuing along land of the said Town of Baldwin 309.35 feet to a 3/4" iron pipe found set in the ground at the Southeasterly corner of land of the said Town of Baldwin and the Southwesterly corner of land now or formerly of S.A.D. #55 (3611/124 & 9538/313);

Thence S 58°55'16" E along land of the said S.A.D. #55 in part by a stone wall 785.12 feet to a 1" iron pipe found set in the ground at the Southeasterly corner of land of the said S.A.D. #55 and the Southwesterly corner of land now or formerly of Robert K. Peare et.al. (6575/235);

Thence S 58°53'27" E along land of the said Peare in part by a stone wall 284.20 feet to a point;

Thence N 49°24'59" E continuing along land of the said Peare 922.34 feet to a 5/8" capped rebar (#2081) feet found set in the ground at the Southwesterly corner of land now or formerly of John Veit (20263/235 & 20169/212);

Thence N 55°49'40" E along land of the said Veit 483.88 feet to a 2" iron pipe found set in the ground;

Thence N 46°45'27" E continuing along land of the said Veit 402.37 feet to the Northeasterly corner of land of the said Veit on the Southerly side line of the said RT 113;

Thence Southeasterly along the Southerly side line of the said RT 113 following a curve to the right with a radius of 2840.41 feet a distance of 101.57 feet to a point;

Thence S 70°49'28" E along the Southerly side line of the said RT 113 a distance of 452.84 feet to a 6" square granite "H" monument found set in the ground;

Thence continuing along the Southerly side line of the said RT 113 along a curve to the left with a radius of 2884.58 feet a distance of 655.72 feet to the point of beginning.

EXCEPTING AND RESERVING TO THE GRANTORS HEREIN that portion of the premises as described as follows:

A certain lot or parcel of land located on the southerly side of Route 113 in the Town of Baldwin, County of Cumberland and State of Maine, bounded and described as follows:

BEGINNING at the northwest corner of land now or formerly of Southridge Development Corporation as described in deed Book 23199, Page 253 recorded in Cumberland County Registry of Deeds (CCRD) on the southerly sideline of Route 113; thence South 06°-09'-04" West along land of Southwest Development Corporation, 319.00 feet to a 5/8" rebar; thence North 87°-15'-02" East continuing along land of Southwest Development Corporation, 112.42 feet to land now or formerly of Cummings as described in deed Book 21811, Page 296 CCRD; thence South 14°-03'-54" East along land of Cummings, 27.73 feet to land now or formerly of Buzzell as described in deed Book 25165, Page 169 CCRD; thence South 60°-35'-15" West along land of Buzzell, 265.30 feet; thence North 61°-33'-19" West across land of Grantors herein, 613.15 feet; thence North 18°-03'-32" East continuing across land of Grantors herein, 318.59 feet to the southerly sideline of Route 113; thence following the southerly sideline of Route 113 on a curve to the left having a radius of 2884.58 feet, a chord bearing South 72°-52'-45" East 600.00 feet, an arc distance of 601.09 feet to the point of beginning.

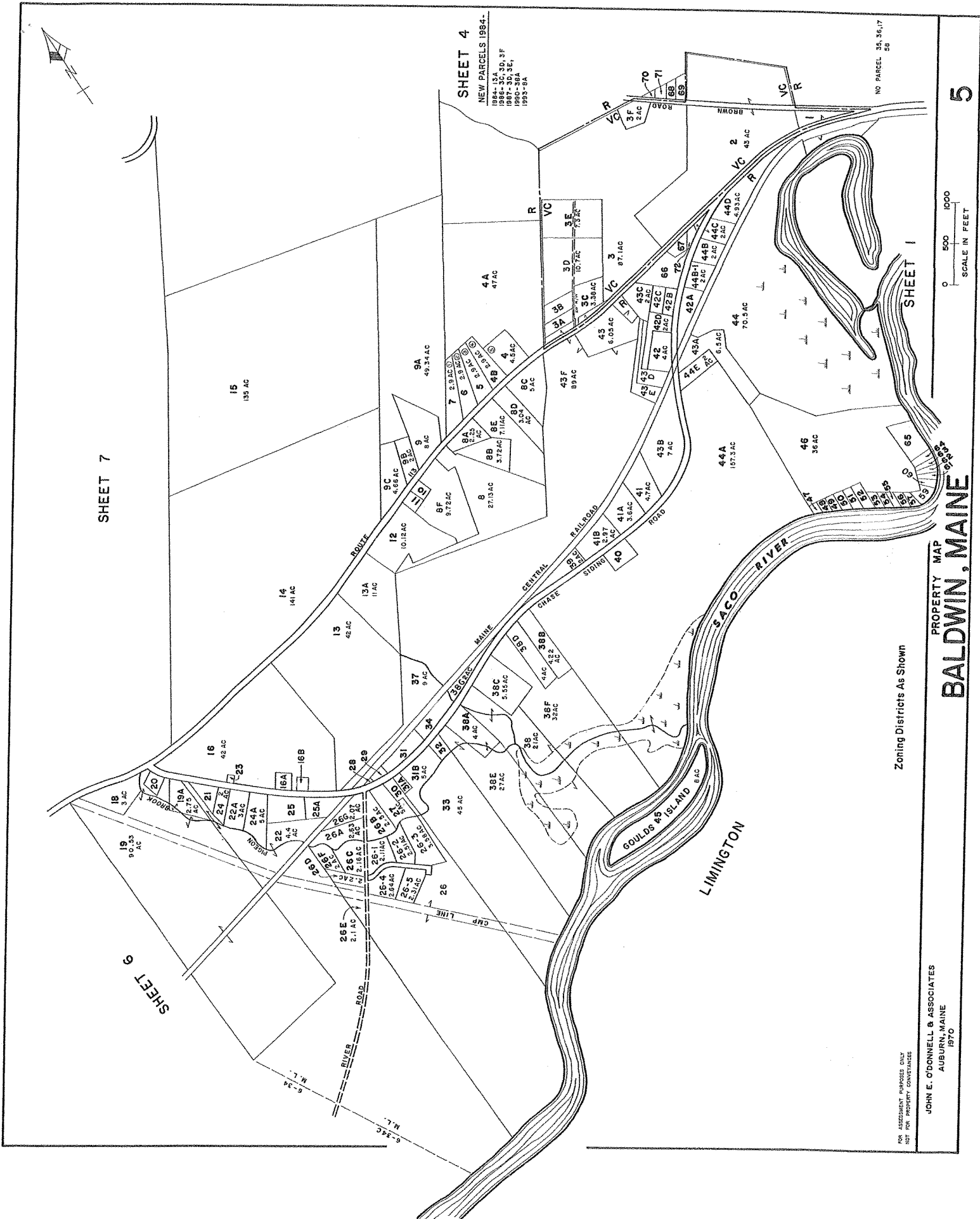
Parcel herein described contains 6.05 acres and is a portion of land described in deed Book 25537, Page 287 CCRD.

Basis of bearings is magnetic meridian of the year 2004.

Parcel is conveyed with and subject to any easements and/or right-of-ways of record.

Being a portion of the premises conveyed to Clarence L. Hanscom and Leslie J. Hanscom by virtue of a Warranty Deed from James E. Cummings dated October 5, 2007 and recorded in the Cumberland County Registry of Deeds in Book 25537, Page 287.

Section A: 12a- Location Map



FOR ASSESSMENT PURPOSES ONLY
NOT FOR PROPERTY CONVEYANCE

JOHN E. O'DONNELL & ASSOCIATES
AUBURN, MAINE
1970

Zoning Districts As Shown

PROPERTY MAP
BALDWIN, MAINE

0 500 1000
SCALE IN FEET

5

Section A – Basic Information

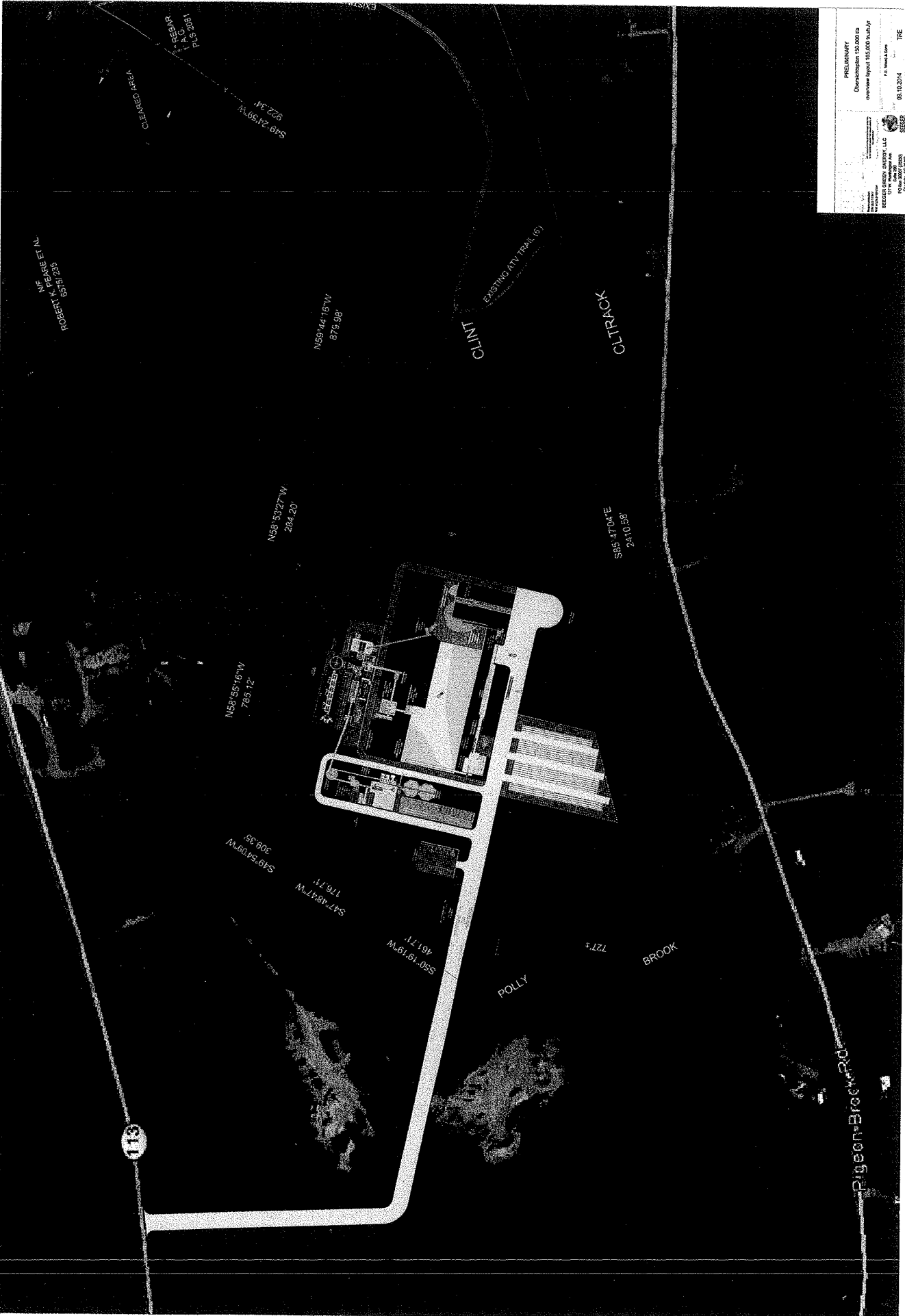
12b. A written description of the proposed use of the property. This statement shall describe the exact nature of the proposed use.

Dean and Anthony Wood are seeking a conditional use permit for the property to accommodate a proposed forest products manufacturing facility on the premises. This facility will produce wood pellets for regional and international consumption. The proposed uses will include:

Manufacturing – Includes processing of raw material (logs, chips, sawmill residues), drying and pelletizing.

Commercial Wood Processing – Includes scaling and delivery of raw material by truck, moving and storage of raw material on the premises, and processing prior to manufacturing.

Warehousing, Storage and Distribution – Includes storage of bulk and packaged finished product in controlled, dry storage, loading and scaling trucks for delivery to final destinations.



PRELIMINARY
 Date: 08/10/2014
 Scale: 1" = 100'

Section 17: 100' x 100' - Proposed Facility
 Woods Mill CUP 14 of 20

Section B – Standards for a Conditional Use Permit

1a. The size of the proposed use compared with surrounding uses;

The proposed manufacturing facility and associated raw material storage, finished product storage will require approximately 25 acres. A nearby comparable is Limington Lumber, located approximately 1 mile east of the proposed manufacturing facility on Maine Route 113. By comparison, Limington Lumber's sawmill, dry kiln, biomass boiler and warehousing facilities, utilize approximately 26 acres along Maine State Route 113.

1b. The intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses;

The proposed manufacturing facility will generate an average of 40 incoming truckloads per day of logs, chips and sawmill residues and 20 outgoing truckloads per day of finished product and secondary products. Incoming and outgoing truck traffic will be generated 7 days per week, primarily between the hours of 5am to 9pm. By comparison, Limington Lumber's facility requires an average of 12 incoming truckloads per day of sawlogs, and generates an additional 12 outgoing truckloads per day of wastes (chips, sawdust, bark) and finished products (lumber). Limington Lumber's facility operates 5 days per week, 6am to 4:30pm, 6am to noon on Fridays, with the wood boiler and dry kilns operating 7 days per week, 24 hours per day.

There will be a paved road that surrounds the perimeter of the facility and between buildings. There will be a concrete pad storage area approximately 575' x 165' located in the center of the site that will store chips and bark.

1c. The potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances;

The proposed manufacturing facility will be designed to minimize noise, dust, glare and odor emissions from the premises. The facility is surrounded by a 160-200' wooded buffer.

Noise: The facility will be limited to 45dB in the evening (9pm-5am) and 50dB in the daytime (5am-9pm). All processing equipment will be enclosed. Loaders will operate during daytime hours only.

Dust: All roadways will be paved. Log storage yards will be mulched to eliminate dust.

Odors: The facility will not be processing demolition debris or garbage waste streams, only virgin wood. The odors will be the same as any wood storage and chipping facility in the area.

Vibration: No vibrations will be noticeable off the premises.

Glare/Lighting: The facility will not require any upward lighting, and all storage yards and driving areas will be lit with high-efficiency, motion controlled LED lighting which will be pointed downward and to minimize light pollution.

Smoke: The facility will utilize air emission control equipment to eliminate particulate and smoke emissions from the heat plant and dryer.

1d. Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;

The proposed site is second growth forest which has had several commercial harvests performed. The layout of the site is relatively flat and well drained, and will have 160-200' wooded buffers surrounding the proposed facility to ensure no adverse impacts (noise, visual, runoff) on surrounding properties will occur.

1e. The degree to which landscaping, fencing, and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.

The proposed site will be surrounded by a 160-200' wooded buffer to ensure no adverse impacts on surrounding properties will occur.

2a. The ability of traffic to safely move into and out of the site at the proposed location;

The proposed site will be accessed from Maine Route 113 via an easement granted by the Town of Baldwin. Maine DOT traffic engineers have verified the access point has sufficient line of sight to meet safety and entrance requirements – statement attached. The proposed facility will build and maintain a road according to Maine DOT standards, including traffic control and signage.

2b. The presence of facilities to assure the safety of pedestrians passing by or through the site;

The proposed site does not have any pedestrian access from Maine Route 113, and will be controlled through the gate houses at the access points. The proposed facility will be enclosed by a fence to prevent any uncontrolled pedestrian access.

2c. The capacity of the street network to accommodate the proposed use;

Maine Route 113 is capable of accommodating the proposed use currently. Maine DOT traffic engineers have verified that the roadway is adequate for the proposed use.

2d. The capacity of the storm drainage system to accommodate the proposed use;

The proposed facility will include stormwater control and drainage systems to comply with the Maine DEP Site Location of Development Act permitting statutes.

2e. The ability of the Town to provide necessary fire protection services to the site and development.

The Town and surrounding community fire protection services are sufficient to provide protection to the proposed site and development. The proposed facility will include required emergency access points, water storage and dry hydrant connection points to comply with Town emergency standards.

3. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and flood plains, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or neighboring properties.

The proposed site will be permitted under the Maine DEP Site Location of Development Act, which will require that the site does not create drainage, water table, stormwater runoff and erosion issues as a result of the development. The proposed site will be developed such that there are no adverse impacts to waterways or protected natural resources, and there are no adverse impacts on neighboring properties regarding drainage, runoff and erosion of the property.

From: Fontaine, Anthony <Anthony.Fontaine@maine.gov>
Sent: Tuesday, September 2, 2014 7:25 AM
To: Tony Wood
Subject: RE: Driveway/Entrance Permit Application Link

Tony and Dean,

As discussed during our on-site meeting August 29, 2014, I have reviewed your proposed access locations with our Region Engineer, Kyle Hall, and we are in agreement that the Department will be able to issue Entrance Permits to both locations. As I understand your proposal, you anticipate up to 60 large trucks per day using the site which will have a wood pellet processing facility. In summary, both locations (westernmost owned by the town of Baldwin, easternmost owned by you) meet the minimum standards for basic safety sight distance. Additionally, the westernmost site also meets the recommended (but not required) sight distance for larger vehicles. The easternmost site meets the larger vehicle sight distance recommendation looking in the easterly direction but not in the western direction. As turn lanes will not change conditions for trucks leaving the site, we feel there is no significant advantage to requiring them as part of the Permit. Clearing of brush, saplings, etc to the west of the easternmost entrance will improve sight distance slightly and is advised.

The above is based on our discussions to date with information re vehicle traffic provided by you, and interpretation of the Department's current Access Management regulations. Should either change, the above statements might no longer be valid. Additionally, the above is not an official Permit approval, only the likely outcome should you submit a Permit application.

As always, feel free to contact me if you need additional information or clarification of any of the above.

Tony Fontaine
MDOT Permit Field Specialist
207-885-7040
anthony.fontaine@maine.gov

Section C – Shoreland Standards

a. Will not result in unreasonable damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;

The proposed road access will cross Polly Brook, which is a permissible crossing point according to Maine DEP. The road will be built using Maine DEP and Maine DOT standards to reduce damage to stream bottom and fish habitat.

b. Will reasonably conserve shoreland vegetation

The proposed stream crossing will minimize impact on shoreline vegetation by designing the crossing to reduce disturbed shoreland soils and vegetation, and utilizing Maine DOT best practices to avoid disturbance during construction. Any fill or reinforcement will be placed inside a retaining wall to minimize area impacted.

c. Will reasonably conserve visual points of access to waters as viewed from public facilities;

The proposed stream crossing will be out of sight from all public facilities.

d. Will conserve actual points of public access to waters;

The proposed stream crossing would not impact any current public access to the waterway, but would be closed to pedestrian traffic to ensure safe passage for traffic on the crossing.

e. Will reasonably conserve natural beauty;

The proposed facility will minimize impact on natural resources and beauty in the area, by reducing impacted area and using modern building practices. A wooded buffer surrounding the proposed facility will conserve views from neighboring properties and public roadways.

f. Will reasonably avoid problems associated with floodplain development or use.

The proposed facility is located approximately 50' above the Saco River flood plain, a Zone C area (minimal risk of flooding) according to FEMA Flood Zone Mapping for the region, which is attached. The proposed facility will be designed to withstand normal flood plain activity without problems.

Section C: F - FEMA Flood Map



Scale: 16 % LOMC 1