

Lamoine Planning Board – Site Plan Review Criteria Record of Findings

Applicant	Harold MacQuinn, Inc
Map & Lot	Map 3 Lot 31 & 33
Date Reviewed	DECEMBER 11, 2017
Fee Paid	

Review Standard	Votes Yes	Votes No	Reasons/Comments
1. Preserve and Enhance the Landscape	1	3	SEE COMMENTS
2. Relation of Proposed Buildings to Environment	N/A		
3. Vehicular Access	4	0	
4. Parking Design Requirements	N/A		
5. Off-Street Parking Requirements	N/A		
6. Buffering and Screening	3	1	
7. Exterior Lighting	N/A		
8. Municipal Services	4	0	
9. Surface Water	4	0	
10. Groundwater Protection	1	3	SEE COMMENTS
11. Air Pollution	3	1	
12. Odor	4	0	
13. Noise	4	0	
14. Sewage Disposal	N/A		
15. Utilities/Waste Disposal/Water Supply	N/A		
16. Comprehensive Plan	4	0	
17. Stormwater Drainage	1	3	SEE COMMENTS
18. Conservation, Erosion and Sediment Control	4	0	
19. Advertising Features	N/A		
20. Financial and Technical Capacity	4	0	
SPECIAL REVIEW STANDARD K.3.	1	3	SEE COMMENTS

Application is Approved
 Approved with Conditions (list on back)
 Denied (State Reasons for denial below)

Signed, 

Chair, Lamoine Planning Board (FOR THIS APPLICATION)
 (Planning Board to fill out one copy of this form and submit it as part of the official file of the above referenced project) -- (If approved or approved with conditions, the signed copy of this form shall serve as the official permit)

LAMOINE PLANNING BOARD

Special Meeting December 11, 2017

Findings of Fact and Conclusions

Upon reconsideration of Harold MacQuinn, Inc.'s Site Plan Application for property at Map 3, Lots 31 and 33, and after public hearing at which the Applicant, entities with standing and general public presented evidence, the Board adopts the following findings, according to the Town's Site Plan Review Ordinance, and incorporates the findings stated on the record on December 11, 2017:

General:

The Applicant has submitted a license application seeking to extract gravel from a 108 acre parcel located at Map 3, Lots 31 and 33. A portion of those lots have previously been licensed for gravel extraction, and received site plan approval. The unpermitted areas at issue are the southern portions of the lots, in an area adjacent to a spring and land owned by Cold Spring Water Company, a public water supply, and near the Lamoine Corner area of Route 184 and Mill Road, a relatively densely-developed area including residences, the Lamoine School, the Lamoine Fire Department, a cemetery and community center. The proposed excavation area is above a large groundwater aquifer that provides potable water to many residents of the Town. The Cold Spring Water Company serves about 50 households and several other properties including the school and fire department.

The proposed excavation will bring industrial gravel extraction to an area very close to the above-referenced locations, substantially increasing the impact upon them. As proposed, the proposed excavation will isolate an existing wetland area at a level substantially higher than its surroundings, placing it at risk. The application as presented does not provide adequate protection against the excavation's threat to the Cold Spring Water Company's public water supply.

Specific Additional Findings and Conclusions:

1. *Section J.1* (Vote 1-3) The Applicant presented insufficient evidence that the proposed use will preserve the landscape in its natural state as much as practicable, or maintain and preserve the Cold Spring Water Company supply, the aquifer, or the isolated wetland to the maximum extent. The Board also considered the provisions citing that after construction is completed, "landscaping shall be designed and planted that will define, soften or screen the appearance of the development and minimize the encroachment of the proposed use on neighboring land uses. Environmentally sensitive areas such as aquifers, significant wildlife habitat, wetlands,

steep slopes, floodplains, historic buildings and site, existing and potential archaeological sites and unique natural features will be maintained and preserved to the maximum extent.”

2. *Section J.2.* As no buildings are proposed, this section is inapplicable.

3. *Section J.3.* (Vote 4-0) The Applicant sufficiently demonstrated that the use will meet the vehicular access standards set forth in this section

4. *Section J.4.* As the application meets the requirements of section J.3, and contains no plans for pedestrian access or parking, this section is inapplicable.

5. *Section J.5.* As the application meets the requirements of section J.3, and the use does not include public parking, this section is inapplicable.

6. *Section J.6* (Vote 3-0, 1 abstention). The applicant has adequately demonstrated that it meets the site plan review ordinance’s requirements for buffering and screening.

7. *Section J.7.* As the application proposes no lighting, this section is inapplicable.

8. *Section J.8.* (Vote 4-0). The applicant has demonstrated that the proposed use will not have an unreasonable adverse impact upon municipal services.

9. *Section J.9.* (Vote 4-0). The proposed activity will not result in surface water pollution, and no licensed discharge is proposed.

10. *Section J.10.* (Vote 1-3). The applicant has not demonstrated the proposed site development’s lack of adverse impact upon groundwater, and in particular upon the aquifer and the Cold Spring Water Company public water supply.

11. *Section J.11.* (Vote 3-0, 1 abstention). The applicant has demonstrated that the proposed activity will not create a detrimental emission of dust, dirt, fly ash, fumes, vapors or gasses that could damage human health, animals, vegetation or property, and that it will meet the other standards set forth in this section.

12. *Section J.12.* (Vote 4-0). The proposed use will not produce offensive or harmful odors perceptible beyond the lot lines.

13. *Section J.13.* (Vote 4-0). The applicant has demonstrated that the proposed development will adhere to the sound limits expressed in this section, including limits upon pressure and times.

14. *Section J.14.* As the application proposes no sewage disposal, this section is not applicable.

15. *Section J.15.* As the application proposes no above or below ground utility installations, this section is inapplicable.

16. *Section J.16.* (Vote 4-0). The applicant has demonstrated that the proposed use is consistent with the Town's Comprehensive Plan.

17. *Section J.17.* (Vote 1-3). The applicant has not met its burden of establishing that the proposed use will have no unreasonable burden on water supplies for the property or on adjacent properties, including the water supply to Cold Spring Water Company.

18. *Section J.18.* (Vote 4-0). The proposed use will minimize erosion of soil, and sedimentation of watercourses and water bodies.

19. *Section J.19.* The proposed development will not have any advertising features (signs or billboards). This section is not applicable.

20. *Section J.20.* (Vote 4-0). The applicant has demonstrated adequate financial and technical capacity.

21. *Special Condition K.3.* (Vote 1-3). The Planning Board has determined that the proposed development does not meet the applicable Lamoine Gravel Ordinance standards. The Board's factual findings and conclusions from the Gravel Ordinance review are incorporated by reference.

Based upon the above determinations, the Site Plan Review Application was denied.

Date: December 11, 2017



Donald P. Bamman

Vice-Chair, Lamoine Planning Board