

TOWN OF HANCOCK
Planning Board
Minutes of the 9 February 2022 Meeting

Members present: Nick Branca, Scott Dyer, Debi Foster, Lee Fairbanks, Don Parker, Katie Small

Others present: Daniel Pileggi, Eric Reuter, Stephan Wagner, Chip Haskell, Adam Foster, Stephan Salisbury, George Colwell, Aaron Dority, George Moon

Meeting called to order at 6:30 PM

Item 1 on the agenda: Approval of minutes

a. 12 January 2022

K. Small made a motion to approve the minutes as written, seconded by S. Dyer. Motion passed 5 – 0.

N. Branca made a motion to appoint D. Parker chair for the discussion of Item 2 on the agenda, L. Fairbanks seconded. The motion passed 5 – 0.

Item 2 on the agenda: MEO Review for Completion – PCJ LLC 125 Thorsen Rd. MEO Application

a. Applicant PCJ LLC represented by Steve Salisbury

b. Application received 03/25/21

c. Fees paid

d. Tax Map 222 Lot 37

i. 125 Thorsen Rd.

e. Proposal to open a new mineral extraction operation

i. 67.8 acres lot 222-037, plus 3.3 acres lot 217-024, 71 acres total

ii. 4.9 acres to be developed

iii. RU zone with AP overlay

f. Additional information submitted 09/22/21

g. Review public comments/requests

i. Tony Murray email dated 10/2/21 RE Economic/Environmental Impact reports

h. Revised Site Plan submitted 11/23/21

i. Access road location

ii. PERFORMANCE STANDARDS

iii. COMPLAINT RESPONSE PROCEDURE

iv. Motion to schedule Site Visit 12/30 2:30 PM. Back up date 1/03 2:30 PM.

Meeting to review for completion immediately follows.

The applicant has decided to have two access roads, the first road (closest to Rt. 1) will be for entry to the site only, the second road will be used for both entry into and exit from the site. All traffic will exit the site via the second road only. D. Parker made a motion stating that the Planning Board is prepared to move ahead as outlined with two access roads and remove the previous motion requiring only one access road. N. Branca seconded, the motion passed 5 – 0.

The issue surrounding the Upland Sandpipers was raised and S. Salsbury stated that they would wait until after 1 Sept 2022 before starting the infrastructure work. Any long term effects of the mining operation on the birds was not discussed. The effects of the increased truck traffic was raised and it was noted that in the minutes of the 30 Dec 2021 Site Visit item 10 stated that "The Planning Board will request an engineering study during the review process". L. Fairbanks made a motion that the Planning Board request the Select Board to initiate an engineering study to assess the effects on Thorsen Rd by the increased truck traffic. N. Branca seconded, the motion passed 3 – 1 – 1. N. Branca made a motion to table the property value change discussion until more information is present. S. Dyer seconded, the motion passed 5 – 0. Hopefully we can deal with the issue at the next meeting. The noise issue was next during the review discussions. The memorandum from Rudman and Winchell L LC argued that noise generated by the trucks hauling gravel out on the access road is not regulated, only the noise generated within the pit operation is regulated. L. Fairbanks raised several issues that need to be addressed. On page 21 of the MEO Article V section 2. 11 does not use "MEO" nor "Mineral Extraction Operation" as it states in the Rudman and Winchell" memorandum, it states "mineral extraction operation". On page 8 of the MEO Article IV section 2. B. 5. B lists all information required in the application . The list includes all things that are part of a mineral extraction operation including access roads. On page 22 of the MEO Article V section 2. 11.c states that the Planning Board can establish any reasonable requirement.... . On page 29 of the MEO Article V section 2. A states "the Planning Board can require applicant to undertake any additional studies.... . On page 30 of the MEO Article VIII section 2 states that the more restrictive or higher standard applies. Finally, the ECO on page 35 Section 5 . B. 8. C states that Excessive noise shall not be permitted to produce unreasonable disturbance.... . D. Parker made a motion to table consideration of sound and ECO until the next meeting when we can determine which designation to use, MEO or MEO/A. L. Fairbanks seconded, the motion passed 3 – 2. N. Branca then made a motion to seek MMA input (opinion) on which standard to use, MEO or MEO/A. D. Foster seconded, motion passed 5 – 0. Note, we are not bound to the opinion.

D. Parker made a motion to return K. Small to the chair position. N. Branca seconded, motion passed 5 – 0.

Item 3 on the agenda: Chapter 1000 and ECO Updates

3/10/21 – KC motion to hold until Don is ready. AB 2nd . 5-0-0

6/09/21 – KCS motion to strike 3/10/21 hold. Ready for review in July. 2nd NB. 5-0-0

a. Last discussed 11/2020

b. Follow up on questions posed to CEO

i. How do we set up districts? Is it necessary to do so?

1. The zoning map outlines zones/districts

ii. Can we get a letter from DEP stating what the mandate is and what our timeline is?

1. No set timeline that says it has to be done by a certain date that CEO knows of.

iii. Are there any state funding implications?

1. It is mandated that all towns enact these changes.

iv. Does this need to be a "stand alone" ordinance or can we just beef up our existing shoreland guidelines?

There are 3 places in the updates that require action by the Planning Board. On page 1, part 4, line two – the word "shall" is inserted following the date of adoption of Chapter 1000. K. Small made a motion to approve the change, N. Branca seconded. Motion passed 5 – 0. On page 8 bottom Note, line three the word "protection" is inserted following "... endorsed for". K. Small made a motion to approve the change, N. Branca seconded. Motion passed 5 – 0. The Board decided to leave the word district in even though we use zone. On page 34 (6) line two, the word "permitting" is inserted at the beginning of the line. K. Small made a motion to approve (6) as written and the word change, seconded by D. Foster. Motion passed 5 – 0. K. Small then made a motion to send the Chapter 1000 guidelines to the Select Board to be placed on the Town Warrant. N. Branca seconded, the motion passed 5 – 0.

Item 4 on the agenda: Subdivision Review – Coastal Estates
The application is still on hold.

Item 5 on the agenda: Subdivision Review – Grickis Subdivision Retro-Approval for lot split
The application is on hold

Item 6 on the agenda: CEO Report

D. Baker reported a new building permit and several cleanups ordered.

K. Small made a motion to adjourn at 8:30 PM N. Branca seconded. The motion passed 5 – 0.

LF