

Town of Hancock, Maine

**MINUTES OF APRIL 9, 2025 PUBLIC HEARING AND PLANNING
BOARD MEETING**

Board Members: Doug Kimmel, Ken Emerson, Scott Dyer, Deb Foster, Meredith Akerstein; Assistant CEO Nick Branca

Others: Stephen Salsbury (representing MacQuinn and Goodwin quarries), Rusty Goodwin and Patrick Lyons (representing Goodwin quarry), Aaron Doherty (representing Frenchman Bay Conservancy), and Hancock residents Ruth and Rod Franzius, Marlene Lloyd, Alison Boden, Ron Schwizer, Isabelle Sirdman, and Lindsay Babayan.

Doug Kimmel called the meeting to order at 6:01.

1. Conflict of Interest Recusals & Quorum Call

Quorum present; no conflicts or recusals.

**PUBLIC HEARING: Mineral Extraction application
from MacQuinn (Joy Road)**

Meredith Akerstein moved to begin the public meeting, Deb Foster seconded, and the public hearing began.

Steve Salsbury briefly outlined the new excavation, extraction and reclamation plan for which MacQuinn is seeking a permit. Meredith displayed a map of the current and proposed excavation. She and Doug explained the Planning Board's review and approval process.

Steve described how MacQuinn alerted abutters to imminent blasts and monitored their effects. Ruth Franzius read a letter in which she and Rod Franzius wrote that MacQuinn had not complied with a consent decree between MacQuinn and the Town of Hancock with regard to blasting and monitoring its effects. Steve denied the alleged noncompliance.

Doug asked if there were any other public comments and received no substantive responses. Scott Dyer moved that the public hearing be concluded, Deb seconded, and the motion passed, 5-0.

PLANNING BOARD MEETING

2. Approval of Minutes of March 11, 2025 Regular Planning Board Meeting and March 26 Workshop Session

Deb moved to approve the minutes of the March 11 meeting, Scott seconded, motion passed 5-0. Meredith moved to approve the minutes of the March 26 workshop meeting, Scott seconded, motion passed 5-0.

3. Public Comment

None.

4. CEO Report

Assistant CEO Nick Branca had nothing to report other than that the CEO and he were busy editing and updating the Environmental Control Ordinance.

5. Old Business: Mineral Extraction application from MacQuinn (Joy Road)

The Planning Board approved unanimously all 8 Findings of Fact and 21 Conclusions of Law, with the following exception:

- i. Conclusions of Law #14, Blasting: Four members voted that MacQuinn had met the requirements, while Ken Emerson abstained.

Discussion: Planning Board members agreed that resolving contentions between MacQuinn and the Franziuses over compliance with the consent decree with the Town of Hancock fell outside the Board's responsibility and was best left to the CEO, the Selectboard, and attorneys. Ruth said that approval of MacQuinn's application for a permit to expand operations would not significantly impact the Franzius's contention with MacQuinn. Doug said that the Planning Board's approval of MacQuinn's permit would continue to be conditional on "blasting... conducted in accordance with the second amended consent decree or any future amendments thereto."

Ken moved and Deb seconded the motion to approve MacQuinn's mineral extraction operation application, with the conditions, Doug added, that:

- i. The Selectboard approves the reclamation bond for phase 3-V
- ii. Blasting shall be conducted in accordance with the second amended consent decree or any future amendments thereto
- iii. Copies of the semi-annual water test reports from the monitoring wells shall be sent to the Planning Board and CEO

- iv. Copies of the semi-annual wet pond inspections shall be sent to the Planning Board and CEO
- v. The CEO confirms reclamation of 4/5 of Phase 3-IV before Phase 3-V begins.

The motion was approved, 5-0.

6. Old Business: Request of Selectboard for Rezoning the Former Tannery Site

Doug noted that the rezoning would be discussed and public input sought at the April 17 public hearing.

7. New Business: Update of Goodwin MEO Application

Patrick Lyons and Steve presented extensive additions to Forest Goodwin and John Goodwin Jr. Construction's previously tabled application, and a consent agreement with the Town of Hancock stating that "so long as Goodwin and the Property Owner are in compliance with this agreement, the Planning Board will consider Goodwin and the Property Owner in compliance with the Town's ordinances, not a violation of the MEO... and process and act on the pending mineral extraction application."

Patrick clarified that the proposed quarry and a previously permitted shooting range are located on the same property.

The Planning Board reviewed the revised and amplified Goodwin MEO application. Ken moved to find the application complete, Deb seconded, and the motion passed, 5-0, with the conditions that Goodwin secure a Maine Department of Environmental Protection notice of intent and, upon the project's approval, a performance bond. A site visit was scheduled for 5 pm on May 14.

8. Adjourn

Ken moved to adjourn, Deb seconded, and the motion passed, 5-0. Doug adjourned the meeting at 8:34.