City of Biddeford
Planning Board
June 17, 2020 6:00 PM
When: Jun 17, 2020 06:00 PM Eastern Time (US and Canada)
Topic: Planning Board June 17, 2020

Please click the link below to join the webinar:
https://biddeford.zoom.us/j/98422544021

Or iPhone one-tap :
US: +13126266799,,98422544021# or +16465588656,,98422544021#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782
Webinar ID: 984 2254 4021
International numbers available: https://biddeford.zoom.us/u/aRwNfbgh

1. **PLEDGE OF ALLEGIANCE**
2. **DECLARATION OF QUORUM/VOTING MEMBERS**
3. **ADJUSTMENTS TO THE AGENDA**
4. **PLANNER'S BUSINESS**
5. **CONSENT AGENDA**
   5.A. June 3 Minutes (Draft)
   PB Minutes 060320 Draft.pdf
6. **UNFINISHED BUSINESS**
7. **NEW BUSINESS**
   7.A. A. 2020.12 Planning Board Review for Auburn Concrete to operate an Extractive Industry (concrete manufacturing) at 21 Cole Road (Tax Map 18, Lot 39) in the I-1 Zone.
   2020.12 Auburn Concrete SR 061720-signed.pdf
   2020-06-12.City Response Letter_20142.pdf
   20142S-SITE.pdf
   2020.12 Auburn Concrete FOF Draft.pdf
   Auburn Application.pdf
8. **OTHER BUSINESS**
9. **ADJOURN**

The Board reserves the right to halt official business at 9:30 p.m. Items not heard at tonight's meeting shall be rescheduled to the next meeting of the Board. All materials pertaining to items on the agenda are available for public review at the Biddeford Planning Department, second floor, Biddeford City Hall during normal business hours.

CITY OF BIDDEFORD
PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115
Greg.Tansley@Biddefordmaine.org

Planning Board
Minutes

Date: Wednesday, June 3, 2020
Time: 6:00 PM
Location: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

1. Pledge of Allegiance – Dispensed of the Pledge of Allegiance due to COVID-19 Remote Meetings.

2. Declaration of Quorum/Voting Members

   A. Quorum Present: Chair William Southwick, Bruce Benway, Sean Tarpey, Spiros Droggitis.

3. Adjustments to the Agenda - None
4. Planner's Business

   Greg Tansley, City Planner: Not sure if there will be a June 17 Meeting, but it is possible. Chair Southwick noted that in Biddeford many projects are still continuing Biddeford is still witnessing continued growth.

5. Consent Agenda
   A. Consideration of Minutes: May 20, 2020.

   MOTION:
   Benway – Motion: to approve the consent agenda.
   Droggitis – Second.
   Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Droggitis, Tarpey, Benway).

6. Unfinished Business - None
7. New Business
   A. 2020.15 Subdivision, Site Plan, and Shoreland Zoning review for The Mills at Pepperell, LLC and Mill 11, LLC, to convert Building #11 of the Pepperell Mill complex into 71 housing units located off Laconia Street (Tax Map 71, Lot 10) in the MSRD-3 zone.

DRAFT

Tansley introduced Megan Higgins representing the applicant. briefly summarized the project and that it did receive previous approvals in 2015 but the approval has expired. The applicant is asking for the previously approved project to be re-approved.

New state Statute included in the Report enables the City to expedite the review process for existing buildings going under a residential re-development.

4 waivers were identified in the report, generally related to parking – landscaping, backing out into parking lanes, and the number of parking spaces provided. They have asked for a waiver of 25 parking spaces. This is the same waiver approve din 2015. After 2015 the Board approved a campus Master Plan. In that plan, the waiver of 25 parking spaces is already accommodated in the parking calculations for the site.

Some outstanding items are identified in the report. They appear to be in good order, but I have left them as Conditions of Approval, whether or not they have already been satisfied.

There are several recommended waivers in the report with language drafted if they were to be approved.

SRCC has extended its approval as well through 2021.

Chair Southwick asked for the sample motions to be placed on the screen as they are taken up.

Megan Higgins summarized the project again. No longer a Main eState Housing project for seniors. Will be market-rate instead. Will use Historic Tax Credits. Up to 71 units, maybe less if units are combined. Small demolition of the building is proposed – approximately 900 SF loading dock. Understood that they will have to do a trip-count and pay a trip-count fee.

Tansley orienting everyone with aerial photos of the area and project site.

Chair Southwick noted there were no attendees on the Zoom Meeting so there were no people from the public wishing to comment on the project.

Droggitis – Will gate at Laconia be opened up for full access? Higgins responded yes, it would be open 24/7.

Tarpey asked if the Board was still prohibited from granting parking waivers, Tansley stated there was no restriction.

DRAFT

Benway – Motion: Motion to grant a waiver to Article VI Section 49.A.11(a) to allow angled parking directly off the access aisle from Laconia Street.
Droggitis – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

Benway – Motion: Move to grant a waiver to Article VI Section 49.A.11(g) to exempt parking lots from the requirement they be landscaped with a continuous border of shrubbery along all lot lines given the existing developed characteristics of the site.
Droggitis – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

Benway – Motion: Move to grant a waiver to Article VI Section 49.C.3(a) to allow parking stalls to be accessed off major interior travel lanes given the existing developed characteristics of the site.
Tarpey – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

Benway – Motion: Motion to grant a waiver to Article VI Section 49.C.3(l) to waiver 25 required parking spaces due to the site having adequate parking to support the project given the Mills at Pepperell Master Plan Approval of October 2015.
Tarpey – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

Benway – Motion: Motion that for the purposes of MRS Title 30-A, §4402. 6., Biddeford's Site Plan Review Regulations establishes and considers certain criteria regarding stormwater management, sewage disposal, water supply and vehicular access that enables it to review this project under local site plan review rather than subdivision review.
Droggitis – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

Benway – Motion: Motion to approve the Site Plan and Shoreland Zoning Permit for The Mills at Pepperell, LLC and Mill 11, LLC for up to 71 Units of Housing at 50 Laconia Street (Tax Map 71, Lot 10) in the MSRD-3 zone and GD-1 Shoreland Zone and approve the Findings of Fact, based on the conditions recommended by Staff in its report dated May 29, 2020.
Droggitis – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

DRAFT

8. Other Business
9. Adjourn

MOTION:
Benway – Motion: to Adjourn.
Droggitis – Second.
Chair Southwick – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Droggitis, Benway).

_____ _____

Planning Board Chair **Date**

These minutes are summary and are not intended to be verbatim. Archived meetings are viewable on the City's website: www.biddefordmaine.org.

DRAFT

CITY OF BIDDEFORD

Planning and Development Department

2020.12

Greg D. Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

DATE: June 12, 2020

RE: NEW BUSINESS ITEM #D – 2020.12 Planning Board Review for Auburn Concrete to operate an Extractive Industry (concrete manufacturing) at 21 Cole Road (Tax Map 18, Lot 39) in the I-1 Zone.

MEETING DATE: June 17, 2020 @ 6:00 PM

MEETING LOCATION: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

For Information on how to access and participate in the meeting go to https://www.biddefordmaine.org/2478/Video-Agendas-Minutes and select the June 17, 2020 Planning Board agenda.

---

1. INTRODUCTION

The former Dragon Cement plant on Cole road has been inactive for some time now. In oreder to resume operations, Auburn concrete who intend to lease the site to serve its Southern Maine projects, requires Planning Board approval.

The project is located at 21 Cole Road, just east of its intersection with Edwards Avenue. Edwards Avenue is a load restricted street, prohibiting through trucks of greater than 5 tons. As such, Edwards Avenue cannot be used by this facility as a trucking route. Instead, all trucks would need to access the site via Route One and Cole Road. The applicant understands this, as reflected in their application in the discussion about traffic, and understand that there will likely be a Condition of Approval as such.

For context the blue line demonstrates the only access means for trucks for this project:

Source: "21 Cole Road, Biddeford, Maine." **Google Earth.** 43°28'44.38" N 70°28'43.74" W. Imagery Date: 5/4/2018. Accessed Date: 5/15/2020.

On May 20, 2020 the applicant appeared before the Board for a Conceptual Review. During that meeting, it was confirmed that trucks would only access the site via Cole Road and Route 1. There was also some discussion of noise, especially as it relates to the neighboring residential properties between the facility and Route 1.

Residents of 18 Lindale Avenue attended the Zoom Meeting and spoke about concerns regarding noise in the morning as the facility begins to get going. It was explained by Mr. Cummings of Auburn Concrete that most trucks would start their day in plants to the north and after their first run south would go to the Biddeford facility where they would operate out of for the remainder of the day.

2. PROJECT DATA/INFORMATION

Note: HIGHLIGHTED information is pending.

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Auburn Concrete 82 Goldthwaite Rd PO Box 1747 Auburn, ME 04211
2.	Owner of Property:	Dragon Products Co. 57 Atlantic Pl. South Portland, ME 04106
3.	Agent:	Sebago Technics C/o Shawn Frank, P.E. 75 John Roberts Road Westbrook, ME 04106
4.	Engineer:	Shawn Frank, P.E. Sebago Technics

		75 John Roberts Road Westbrook, ME 04106
5.	Surveyor:	Sebago Technics C/o Shawn Frank, P.E. 75 John Roberts Road Westbrook, ME 04106
6.	Project Location:	21 Cole Road
7.	Project Tax Map #/Lot #:	Tax Map 18, Lot 39
8.	Existing Zoning:	Industrial 1 (I-1)
9.	Overlay Zoning:	None
10.	Existing Use:	Dormant concrete Plant and pit (Extractive Industry)
11.	Proposed Use:	Operation of an Extractive Industry (concrete plant).
12.	City Approvals Required:	Extractive Industry is a Permitted Use but requires Planning Board approval.
13.	Uses in the Vicinity:	Industrial, Commercial, Residential
14.	Parcel Size:	361,458 SF (8.3 acres)
15.	Number of Lots/Units in Subdivision:	N/A
16.	Minimum Lot Size Required: Provided:	None 8.3 +/- Acres
17.	Frontage Required: Provided:	50 feet More than 50 feet (70 feet +/-)
18.	Front Setback Required: Provided:	40 feet 40 feet
19.	Side Setbacks Required: Provided:	25 feet 25 feet
20.	Rear Setback Requires: Provided:	25 feet 25 feet
21.	Height Requirements: Provided:	60 feet or 6 stories
22.	Water Supply:	Maine Water
23.	Sewerage Disposal:	No toilet facilities on site. Applicant to place a portable toilet on site.
24.	Solid Waste Disposal:	Private Hauler
25.	Fire Protection:	City of Biddeford
26.	Floodplain Status:	None
27.	Wetland/Surface Water Impacts:	None
28.	Soil Study Provided:	N/A
29.	Parking Spaces Required:	Industrial: 1 space per employee. Estimates are up to 15 employees at any one time.
30.	Parking Spaces Provided (total):	Greater than 15 parking spaces throughout the site.

	# Handicapped Spaces:	N/A
31.	Ownership of Road:	Cole Road is a City Street.
32.	Impervious Surface Area:	The proposal includes minimal modifications to the site itself, as shown in the application and plans. No expected changes in the amount of impervious area would occur as a result of this proposal.
33.	Total Disturbed Area:	N/A
34.	Estimated Site Development Costs:	N/A
35.	Financial Capacity Letter:	Androscoggin Bank has provided a Financial Letter.
36.	Waivers Needed:	1. *Article VI, Section 30, 6(I) which would require a traffic study by a traffic engineer due to minimal traffic expected from the proposed operations outlined in the materials on file.* 2. *Article VI, Section 30, 6 (E,c,6) which would require a locate all wells within 500 feet of the site since no extraction/excavation is proposed for the site.* 3. *Article VI, Section 30, 6(G) which would require a rehabilitation plan since no extraction/excavation is proposed for the site.* 4. *Article VI, Section 30, 6(E.c.3) which would a determination of depth to groundwater since no extraction/excavation is proposed for the site.*
37.	Waivers Granted:	1. *Article VI, Section 30, 6(I) which would require a traffic study by a traffic engineer due to minimal traffic expected from the proposed operations outlined in the materials on file.* 2. *Article VI, Section 30, 6 (E,c,6) which would require a locate all wells within 500 feet of the site since no extraction/excavation is proposed for the site.* 3. *Article VI, Section 30, 6(G) which would require a rehabilitation plan since no*

		extraction/excavation is proposed for the site. *4. Article VI, Section 30, 6(E.c.3) which would a determination of depth to groundwater since no extraction/excavation is proposed for the site.*
38.	Variances Needed for Approval:	None
39.	Other Permits Obtained:	None
40.	Other Non-City Permits Required:	None Known.
41.	Covenants, By-laws, Restrictions Required by the Planning Board:	None, other than the Conditions of Approval
40.	LDR Attachment A: Fees Paid:	Planning Board fees paid.
41.	Planning Board Review History: Conceptual Review: Planning Board (Final) Review:	 May 20, 2020 June 17, 2020

3. EXISTING CONDITIONS

The subject property is already developed as a previous gravel pit and concrete batch plant. partially developed. It is approximately 8.3 acres in size total and there is little proposed to change under this application.

Source: http://gis.vgsi.com/BiddefordMEMap/index.html?pid=1442. Accessed date: 05/15/2020.

4. PROJECT PROPOSAL

Resumption of the concrete batch plant with some minor site modifications. See the application package for specific details.

5. STAFF REVIEW

A. ZONING: The I-1 Zone allows for an Extractive Industry operation with Planning Board approval.

B. REVIEW STANDARDS: Performance Standards (Article VI), Section 30 (Extractive Industry).

C. WAIVERS: There are four (4) waivers identified as required for this project by the applicant. The other submission requirements appear to be not applicable due to the nature of this operation which does not include physical excavation of the property.

1. Traffic Study by a professional engineer.

Applicant: Based upon the number of trips, the restriction of traffic to access Cole Road only from Route One, and the use of the existing driveway access onto Cole Road, the applicant requests a waiver of the traffic study as no significant impact is anticipated due to the reutilization of the site.

Staff Response: I concur that this project, as presented, will generate nominal amounts of traffic. Staff are concerned about the condition of Cole Road and a traffic study at this point would not necessarily aid in that concern. I recommend granting the waiver for the requirements of a traffic study.

2. Waiver of locating wells within 500 feet of the site.

As the area is serviced by municipal water and as no extraction is proposed, the applicant requests a waiver from determining the existence of wells within 500 feet of the property.

Staff Response: The requirement for locating wells is to determine any potential impacts of extraction/excavation on those wells. Given extraction/excavation is not proposed, I recommend granting the waiver for the requirement to locate all wells within 500 feet of the site.

3. Waiver of a Rehabilitation Plan.

As no extraction is proposed to occur, the applicant requests a waiver from the submission of a rehabilitation plan for the site.

Staff Response: Similar to above, the requirement for a rehabilitation plan is related to operations that involve extraction/excavation. Given extraction/excavation is not proposed, <u>I recommend granting the waiver for the requirement for a rehabilitation plan.</u>

4. **Depth to Groundwater.**

Waiver from determining the depth to groundwater as no extraction is proposed.

Similar to above, the requirement for determine gth edepth of ground water is related to operations that involve extraction/excavation. Given extraction/excavation is not proposed, <u>I recommend granting the waiver for the requirement to determine the depth to groundwater.</u>

D. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. Ability to Serve Letter from the City of Biddeford Fire Department (deputy Chief Paul LaBrecque).
2. **Staff has requested the input of Roby Fecteau, Code Enforcement Officer, regarding the intent to use a portable toilet on site instead of having any toilet facilities. the Applicant should follow-up with Mr. Fecteau on this issue before the June 17 Planning Board Meeting.**

6. <u>STAFF RECOMMENDATION</u>

Staff recommends the Board grant the above-requested waivers.

If the applicant has addressed the outstanding items to the satisfaction of the Board, and Board approves the project, Staff recommend doing so with the following Conditions of Approval attached:

1. **<u>Prior to any ground disturbance or issuance of any permits:</u>**
   a. **Salt Management Plan to be provided for review and approval by the Planning Department.**
   b. **Provide SPCC plan for review and approval by the Planning Department.**
2. **<u>Prior to issuance of any occupancy permits or commencement of plant operations:</u>**
   a. **A compliance inspection needs to occur by the Engineering Department to determine that all site improvements as shown on the submitted plan were constructed in accordance with the approved plans.**

b. **A performance guarantee (amount to be determined by the Planning Department) in the amount of 150% of any remaining site improvements shall be submitted to the Planning Department.**
c. **The gated accessway into the site with a proposed lock shall be equipped with a Knox Box. Knox box type and location shall be approved by the Fire Department.**
d. **The Applicant shall work with the City to mitigate any potential impacts on the condition of Cole Road as a result of re-operating the plant. The applicant may be required to make physical improvements to Cole Road, bond future physical improvements necessary due to impacts from the operation, or may be required to contribute to the future reconstruction of Cole Road. The final determination of what is required to be made by the Department of Public Works. If the applicant does not agree with the determined requirements, the applicant may return to the Planning Board which would then make the final decision.**

3. **<u>Prior to commencing any work in the City Right-of-Way</u> the applicant must obtain a road-opening permit from the Public Works Department.**
4. **Operations hours shall be as per city Ordinance, which currently for extractive industries is 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturdays. No Sunday operation is permitted.**
5. **All erosion and sediment control measures need to be installed. The applicant shall notify the Engineering Department once installed so that Staff may inspect said installation, as necessary.**
6. **The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc., prior to commencing business, unless authority issuing said permit allows for such actions.**
7. **Standard Conditions of Approval apply.**

7. <u>SAMPLE MOTIONS</u>

A. *Motion to grant a waiver to Article VI, Section 30, 6(I) which would require a traffic study by a traffic engineer due to minimal traffic expected from the proposed operations outlined in the materials on file.*

B. *Motion to grant a waiver to Article VI, Section 30, 6 (E,c,6) which would require a locate all wells within 500 feet of the site since no extraction/excavation is proposed for the site.*
C. *Motion to grant a waiver to Article VI, Section 30, 6(G) which would require a rehabilitation plan since no extraction/excavation is proposed for the site.*

D. *Motion to grant a waiver to Article VI, Section 30, 6(E.c.3) which would a determination of depth to groundwater since no extraction/excavation is proposed for the site.*

E. *Motion to approve the extractive industry for Auburn Concrete at 21 Cole Road (Tax Map 18, Lot 39) in the I-1 zone and approve the Findings of Fact, based on the conditions recommended by Staff in its report dated June 12, 2020.*

F. *Motion to deny the project based upon the following reasons:*
*a)*_____
*b)*_____

ATTACHMENTS (On-Line):

1. Draft Findings of Fact and Conclusions of Law
2. Application Materials Package

June 12, 2020
20142

Greg Tansley, A.I.C.P, City Planner
City of Biddeford
205 Main Street
Biddeford, ME 04005

Supplemental Information
Regarding Extraction & Site Plan Review Application; Concrete Batch Plant Facility
21 Cole Road, Tax Map 18, Lot 39
Applicant: Auburn Concrete

Dear Greg:

On behalf of Auburn Concrete, we are pleased to submit this letter including supplemental information for the Extraction & Site Plan Review application for the reutilization of the existing concrete batch plant and silos previously installed by Dragon Products Company, Inc. at their property located at 21 Cole Road. We offer responses to Land Use Ordinance Section 30. Extractive industry. [Ord. No. 99.64, 8-17-1999; Ord. No. 2007.38, 6-19-2007] and the Planning Board Report Staff Comments dated May 20, 2020 Section 4-Staff Review as follows:

6. Application Requirements. An application for an excavation permit shall consist of the following:

A. Name and address of the owner of the property.
Response: The owner of the property is Dragon Products Company, Inc. 57 Atlantic Place, South Portland, ME 04106

B. Name and address of the owner of the operator of the excavation if different from the owner of the property.
Response: The operator of the concrete batch plant will be: Auburn Concrete, PO Box 1747, Auburn, ME 04211

C. Right, title or interest in the property.
Response: The owner of the property is Dragon Products Company, Inc. in Accordance with a deed recorded at the Y.C.R.D in Book 8668, Page 180 and included within Exhibit 5 of the previously submitted application.

D. Names and addresses of all persons owing property or abutting or within 500 feet of the subject property.
Response: Abutters within 500 feet of the property is included as Exhibit 3 of the previously submitted application.

E. Site plan at a scale of not less than one inch=100 feet. The plan:

a. Shall be shown on a sheet measuring 24 inches by 36 inches.
Response: The submitted site plan is a 24" x 36" sheet.

b. Shall be prepared by and shall include the stamp and signature of either a Maine licensed land surveyor or a professional engineer.
Response: The plan was prepared by Shawn Frank, PE #6396

c. Shall include the following information, as well as any additional information deemed necessary by the board:

1. Boundaries of the subject property.
Response: Boundaries of the property are shown on the submitted plans.

2. Existing wells, rivers, brooks, streams, freshwater wetland and coastal wetland.
Response: No wetlands, rivers, brooks, wells, etc. are located on the site.

3. Depth of groundwater as determined by test borings, wells or pits.
Response: As no soil extraction is proposed on the site, the applicant requests a waiver for determining the depth to groundwater.

4. Topography of the property at a contour interval no greater than five feet.
Response: Topography is shown on the submitted plans at one-foot contour intervals.

5. Existing site features such as fields, wooded areas, structures, roads and driveways.
Response: Existing site features are shown on the submitted plans.

6. Residences and wells within 500 feet of the subject property.
Response: We understand that the area is serviced by municipal water service and as no extraction is proposed to occur on the site,

the applicant requests a waiver of determining well locations within 500 feet. Residences within 500 feet are shown on the aerial photograph.

7. *Existing and proposed excavation areas including acreage, phasing, depth of excavation and final grades.*
   Response: No excavation is proposed on the property except for a shallow vegetated depression to intercept and store stormwater runoff from the process area.

8. *Location and size of product and topsoil stockpiles.*
   Response: As the project does not include any soil extraction, no topsoil has been stockpiled for reclamation.

9. *Areas to be used for processing of excavated material.*
   Response: No processing of excavated material is proposed, however, aggregates will be trucked into the property and stockpiled within the storage bin area designated on the plans for use in the batch plant to prepare the concrete product.

10. *Location of proposed buildings and structures.*
    Response: No new buildings are proposed on the site except for the 8' x 40' container with 12' x 12' control tower mounted next to the batch plant as noted on the site plan.

11. *Types and locations where equipment, materials or fuels are stored.*
    Response: The mixer truck parking area is noted on the site plan. No fuel storage is currently proposed to occur on site. A fuel truck will visit the site on a weekly/as-needed basis to fuel the front-end loader which will occur on an existing impervious surface.

12. *Locations of proposed access an any roads to be constructed within the site.*
    Response: The existing access road to the site will be utilized. The applicant is proposing to pave the first 150 feet of the existing gravel driveway.

13. *Sight distances of intersection of the access road with a public road.*
    Response: The site distance of the existing driveway intersection at Cole Road is over 300 feet looking to the left and approximately 210 feet looking to the right due to the presence of a small berm. As truck traffic is restricted only to right turns out of the driveway, the site distance to the left is the relevant site distance which is more than adequate.

14. *Method and location of controlling access into the site.*
Response: The existing gate will be removed and a new gate will be installed at the driveway access from Cole Road to control access to the site.

15. *Improvements for the control of drainage, sedimentation and erosion.*
Response: The site has been extensively developed in the past. The applicant intends to remove existing debris piles from the property, to loam and seed disturbed areas and to excavate a vegetated depression to intercept and store stormwater runoff from the plant area.

F. *Proposed hours of operation.*
Response: It is the applicant's understanding that hours of operation are limited by Ordinance to 7 AM to 7 PM Monday thru Friday and 7 AM to 2 PM on Saturday for an extraction operation.

G. *Proposed rehabilitation plan including temporary and final seeding, plantings and permanent drainage improvements.*
Response: The site plan submitted depicts the proposed rehabilitation of the site. As no extraction of material is proposed on the property, the typical final grading plan associated with an extraction operation is not warranted.

H. *A spill prevention, control and countermeasures (SPCC) plan if any fuels or hazardous materials are to be stored or equipment refueling or oil changes are to take place on the subject property.*
Response: Auburn Concrete has standard operating procedures for the refueling of vehicles on-site including the location on an impervious surface.

I. *A traffic study conducted by a traffic engineer registered in the State of Maine which shall include:*
Response: Based upon the proposed number of trips that the facility will generate and the fact that these trips can be somewhat intermittent, as well as the fact that the proposal consists of the reutilization of a site previously developed for the same operation, the applicant respectfully requests a waiver of a formal traffic study for the application.

a. *An estimate of daily traffic to be generated, to include size and capacity of trucks that will haul material, routes proposed for hauling material, and current Maine DOT or City data on traffic counts for all public and private ways upon which material will be hauled.*

Response: The estimated daily traffic to be generated by the facility when it is operating is based upon the average production of the facility during the months of April to December which will be approximately 100 cubic yards (cy) per day. As each concrete truck averages 7.8 cy per load, 13 concrete truck trips will be required to deliver the product. The raw materials to produce 100 cy of concrete will require 3 tractor trailer loads of sand, 3 of aggregate and 1 of cement per day. Allowing for one person to operate the plant and one to operate the front end loader, the total proposed vehicle trips per average day of operation would consist of 2 personal vehicles entering and exiting the facility for 4 trips, the 13 concrete trucks exiting the facility full and returning empty for 26 trips, and the 7 tractor trailers arriving full and leaving empty for an additional 14 trips for a total of 44 vehicle trips per day spread out throughout the day. As MDOT requires permits for facilities generating a minimum of 100 trips during the peak hour, and as the facility will actually generate less than 50 per day, no State permit is required and based upon the number of trips, the applicant respectfully requests a waiver from performing a complete traffic study for the proposed reutilization of this site.

b. *A description of existing or potential traffic hazards on roads servicing the site and the applicant's proposal to address such hazards. Said description shall consider the existence and impact of existing extraction operations. The study shall describe the ability of such roads to withstand the additional traffic generated by the site.*
Response: All exiting traffic associated with the processing and delivery of concrete will be restricted to right turns only onto Cole Road from the project driveway and more than adequate sight distance exists looking to the left to assure that this can occur safely. Cole Road currently has some condition issues that could be exacerbated by the proposed reutilization of the site. The applicant will coordinate with the City Public Works and Engineering Departments to minimize the potential impact on the condition of Cole Road as well as to address any actual impacts.

c. *If, in the opinion of the Planning Board a separate, independent traffic study is warranted, or review of the submitted traffic study by an independent traffic engineer or consultant, the cost of such an independent study or review shall be borne by the applicant.*
Response: The applicant believes that the number of vehicle trips proposed to be generated by the facility and the requirement that the vehicles only turn right out of the facility onto Cole Road suggests that traffic will not be a major impact in the area and respectfully

requests a waiver of both performing a full traffic study and for the need for third party review.

J. *Plan for screening excavation from direct view from residences and public road through the use of fencing or existing or proposed vegetation. The applicant shall demonstrate that the screening plan will:*

a. *Ensure adequate sight distance and visibility for vehicles entering and exiting the site;*
Response: As discussed, traffic will be restricted to entering and exiting the facility from Cole Road from Route One such that adequate sight distance is available at the existing intersection.

b. *Ensure adequate sight distance for vehicles traveling the roadway from which the excavation is accessed;*
Response: Adequate sight distance exists along Cole Road.

c. *Ensure that the proposed fencing and/or vegetative screen is adequate to shield neighboring properties and public rights-of-way from the excavation operation;*
Response: The site is much lower in elevation than the abutting neighboring properties to the east. Additionally, as noted on the site plan, existing vegetation will be retained along the common property line, the northeast corner of the property will not be utilized, and block walls will either be installed or heightened to provide additional screening of the processing operation. No extraction of material is proposed.

d. *Be installed prior to the commencement of the extraction operation. No hauling or processing of material shall occur prior to the installation of screening.*
Response: No extraction of material is proposed; however, the wall installation will occur prior to the start of the processing operation.

K. *Disposition of stumps and grubbings.*
Response: The existing debris piles on the property including stumps, grubbings and other stockpiled materials are proposed to be removed from the property by the applicant and properly disposed of. Disturbed areas associated with this clean-up will be loamed and seeded.

L. *Estimate of the cost of rehabilitating the site in conformance with requirements of Section 11.*
Response: As no extraction is proposed to occur on the property, no rehabilitation of the site will be required.

M. *Estimate of types and amounts of material that will be excavated from the site.*
Response: The proposed use of the site consists solely of the processing of concrete to be trucked to local construction sites. No extraction of material is proposed.

N. *Estimate of proposed life of excavation based on amount of material on site.*
Response: No extraction of materials is proposed to occur from the site.

O. *Aerial photo(s) of the proposed site so that the boundaries of the site may be identified and that the extent of excavation, if any, at the time of the Board's review may be clearly delineated.*
Response: Am aerial photograph of the property was included within the original application, however, no extent of excavation is shown as none is proposed.

1. *STAFF REVIEW*

A. *ZONING: The I-1 Zone allows for an Extractive Industry operation with Planning Board approval.*
B. *REVIEW STANDARDS: Site Plan Review (Article XI), Performance Standards (Article VI), especially Section 30 (Extractive Industry).*
C. *WAIVERS: See below (E.4).*
D. *OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO MAY 20, 2020:*
    - *None.*
E. *OUTSTANDING ITEMS TO BE ADDRESSED WITH THE SUBMISSION OF A FINAL APPLICATION PACKAGE:*

1. *Are any existing Maine DEP Permits affected by this proposal? Are any new Maine DEP Permits required for this proposal?*
Response: The applicant is not aware of any MDEP site permits required for this operation as it is the reutilization of a previously developed site. An air emissions license is required from MDEP for the plant.

2. *Contact Maine DIF&W for comments.*
Response: A copy of the recent letter to MDIFW is enclosed. The response will be forwarded to the City upon receipt.

3. *Need Ability to Serve Letters from:*
   - *Maine Water*
     Response: The applicant has contacted Maine Water and will forward their response upon receipt.
   - *City of Biddeford Fire Department (deputy Chief Paul LaBrecque).*
     Response: The applicant has contacted the City of Biddeford Fire Department to discuss the proposal and will forward their response upon receipt.

4. *Submit any waiver requests (if applicable) in writing with an explanation as to why such a request is being made. For example, Article VI, Section 30, 6, I. requires submittal of "A traffic study conducted by a traffic engineer registered in the State of Maine…".*

   Waiver Guidance:
   Article VI, Section 30:

   7. Waivers. The Planning Board may grant waivers from specific submission requirements upon written request by the applicant if it determines that such information is not necessary for proper review of the application

   Article XI, Section 9.B.1.:
   When special circumstance exists and strict conformity with any specific requirement of these regulations would cause undue hardship or injustice to the owner of the land to be developed and being reviewed, and where the review procedures have been in general conformity with these regulations, and provided the general spirit, intent and purpose of these regulations will not be adversely or substantially affected or harmed, and further provided that the public convenience and welfare of the citizens of Biddeford, Maine, will be substantially served and not adversely affected, these regulations maybe waive or modified.
   Response: Requested waivers as follows:

1. Waiver of a completed traffic study by a professional engineer. Based upon the number of trips, the restriction of traffic to access Cole Road only from Route One, and the use of the existing driveway access onto Cole Road, the applicant requests a waiver of the traffic study as no significant impact is anticipated due to the reutilization of the site.

2. Waiver of locating wells within 500 feet of the site. As the area is serviced by municipal water and as no extraction is proposed, the applicant requests a waiver from determining the existence of wells within 500 feet of the property.

3. Waiver of a Rehabilitation Plan. As no extraction is proposed to occur, the applicant requests a waiver from the submission of a rehabilitation plan for the site.

4. Waiver from determining the depth to groundwater as no extraction is proposed.

5. *Existing Septic on site needs to be assessed by a site evaluator for function. Provide a complete review of the existing system, including what it was designed for, and it's capacity to support the reuse of the facility. If improvements are necessary, provide recommendations.*
   Response: Based upon the intermittent use of the facility and the number of people that will be on-site during its operation, the applicant proposes to place a port-a-potty on site as no actual restroom is currently proposed or exists on the property.

Staff will provide additional comments upon review of future submittal(s).

We are hopeful that we have adequately addressed the extractive standards and staff comments such that the Planning Board may review the application at the scheduled meeting. Upon your review of this supplemental information, please call with any questions or if you require additional information. Thank you for your consideration.

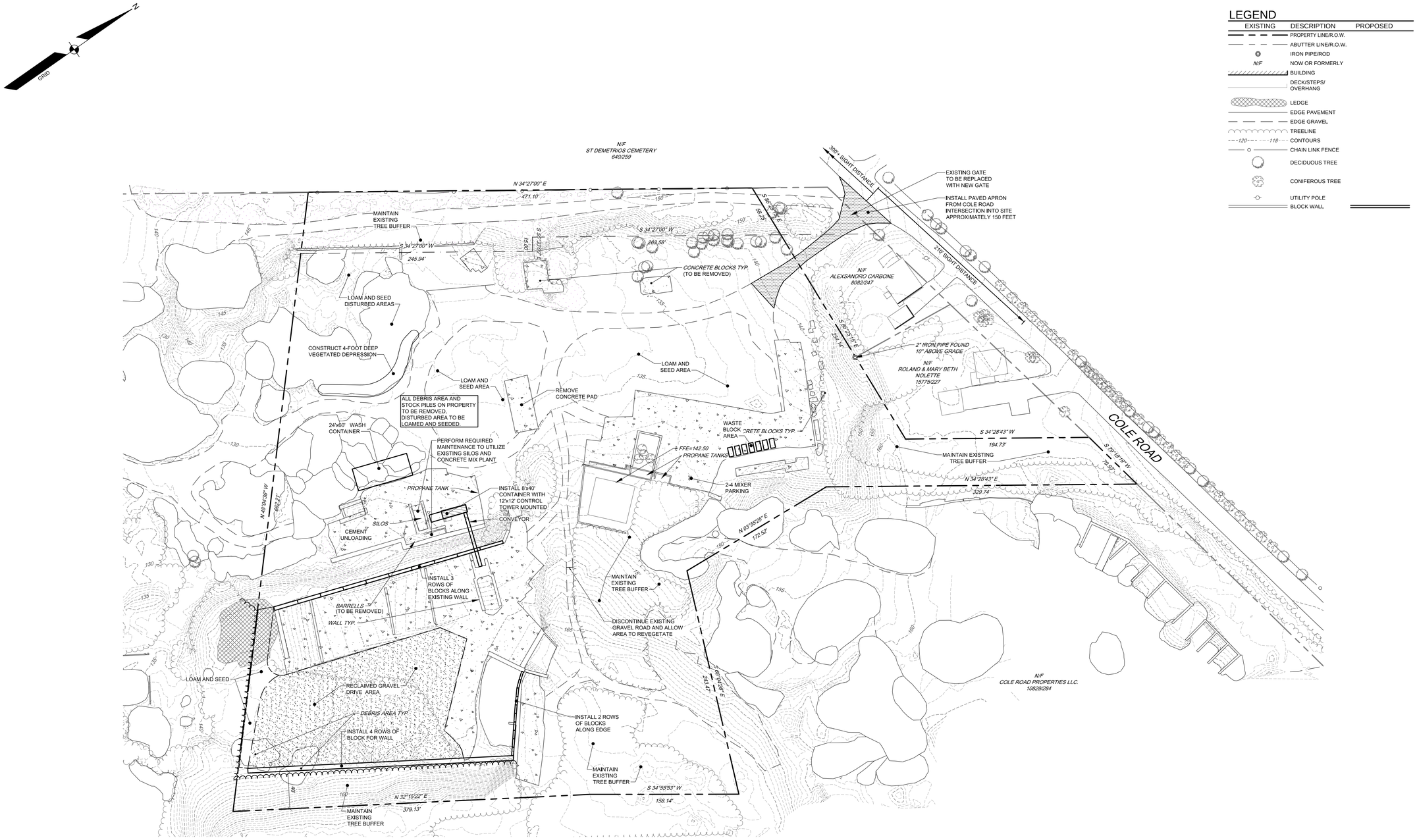
Sincerely,

SEBAGO TECHNICS, INC

Shawn M. Frank, P.E.
Senior Project Manager

SMF

enc.



SGAWN M. FRANK, PE 6396

STATE OF MAINE SHAWN M. FRANK No. 6396 PROFESSIONAL ENGINEER 06-12-2020

REV	BY	DATE	STATUS
B	SMF	06-12-20	SITE PLAN SUBMISSION TO CITY
A	SMF	04-15-20	SITE PLAN SUBMISSION TO CITY

THIS PLAN SHOULD NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

SITE PLAN
OF:
DRAGON PRODUCT SITE
21 COLE ROAD
BIDDEFORD, MAINE
FOR:
AUBURN CONCRETE
PO BOX 1747, 82 GOLDTHWAITE ROAD
AUBURN, MAINE 04211

DESIGNED	SMF
DRAWN	MAL
CHECKED	SMF
DATE	04-15-20
SCALE	1" = 50'
PROJECT	20142

SHEET 2 OF 2

20142S dwg, TAB:SITE

FINDINGS OF FACT AND CONCLUSIONS OF LAW
EXTRACTIVE INDUSTRY

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Article VI (Performance Standards) the Biddeford Planning Board has considered the application of Auburn Concrete to resume operations of the concrete batch plant at 21 Cole Road. Based on its review, including supportive data, public hearing testimony and related materials contained in the record, the Planning Board makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Auburn Concrete 82 Goldthwaite Rd PO Box 1747 Auburn, ME 04211
2.	Owner of Property:	Dragon Products Co. 57 Atlantic Pl. South Portland, ME 04106
3.	Agent:	Sebago Technics C/o Shawn Frank, P.E. 75 John Roberts Road Westbrook, ME 04106
4.	Engineer:	Shawn Frank, P.E. Sebago Technics 75 John Roberts Road Westbrook, ME 04106
5.	Surveyor:	Sebago Technics C/o Shawn Frank, P.E. 75 John Roberts Road Westbrook, ME 04106
6.	Project Location:	21 Cole Road
7.	Project Tax Map #/Lot #:	Tax Map 18, Lot 39
8.	Existing Zoning:	Industrial 1 (I-1)
9.	Overlay Zoning:	None
10.	Existing Use:	Dormant concrete Plant and pit (Extractive Industry)
11.	Proposed Use:	Operation of an Extractive Industry (concrete plant).
12.	City Approvals Required:	Extractive Industry is a Permitted Use but requires Planning Board approval.
13.	Uses in the Vicinity:	Industrial, Commercial, Residential
14.	Parcel Size:	361,458 SF (8.3 acres)

DRAFT

15.	Number of Lots/Units in Subdivision:	N/A
16.	Minimum Lot Size Required: Provided:	None 8.3 +/- Acres
17.	Frontage Required: Provided:	50 feet More than 50 feet (70 feet +/-)
18.	Front Setback Required: Provided:	40 feet 40 feet
19.	Side Setbacks Required: Provided:	25 feet 25 feet
20.	Rear Setback Requires: Provided:	25 feet 25 feet
21.	Height Requirements: Provided:	60 feet or 6 stories
22.	Water Supply:	Maine Water
23.	Sewerage Disposal:	No toilet facilities on site. Applicant to place a portable toilet on site.
24.	Solid Waste Disposal:	Private Hauler
25.	Fire Protection:	City of Biddeford
26.	Floodplain Status:	None
27.	Wetland/Surface Water Impacts:	None
28.	Soil Study Provided:	N/A
29.	Parking Spaces Required:	Industrial: 1 space per employee. Estimates are up to 15 employees at any one time.
30.	Parking Spaces Provided (total): # Handicapped Spaces:	Greater than 15 parking spaces throughout the site. N/A
31.	Ownership of Road:	Cole Road is a City Street.
32.	Impervious Surface Area:	The proposal includes minimal modifications to the site itself, as shown in the application and plans. No expected changes in the amount of impervious area would occur as a result of this proposal.
33.	Total Disturbed Area:	N/A
34.	Estimated Site Development Costs:	N/A
35.	Financial Capacity Letter:	Androscoggin Bank has provided a Financial Letter.
36.	Waivers Needed:	1. *Article VI, Section 30, 6(I) which would require a traffic study by a traffic engineer due to minimal traffic*

DRAFT

		expected from the proposed operations outlined in the materials on file. 2. *Article VI, Section 30, 6 (E,c,6) which would require a locate all wells within 500 feet of the site since no extraction/excavation is proposed for the site.* 3. *Article VI, Section 30, 6(G) which would require a rehabilitation plan since no extraction/excavation is proposed for the site.* 4. *Article VI, Section 30, 6(E.c.3) which would a determination of depth to groundwater since no extraction/excavation is proposed for the site.*
37.	Waivers Granted:	1. *Article VI, Section 30, 6(I) which would require a traffic study by a traffic engineer due to minimal traffic expected from the proposed operations outlined in the materials on file.* 2. *Article VI, Section 30, 6 (E,c,6) which would require a locate all wells within 500 feet of the site since no extraction/excavation is proposed for the site.* 3. *Article VI, Section 30, 6(G) which would require a rehabilitation plan since no extraction/excavation is proposed for the site.* 4. *Article VI, Section 30, 6(E.c.3) which would a determination of depth to groundwater since no extraction/excavation is proposed for the site.*
38.	Variances Needed for Approval:	None
39.	Other Permits Obtained:	None
40.	Other Non-City Permits Required:	None Known.
41.	Covenants, By-laws, Restrictions Required by the Planning Board:	None, other than the Conditions of Approval
40.	LDR Attachment A: Fees Paid:	Planning Board fees paid.

DRAFT

41.	Planning Board Review History: Conceptual Review: Planning Board (Final) Review:	 May 20, 2020 June 17, 2020

Conclusions of Law:

1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws;

2. The proposed use would not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles and would not create hazards through the storage of chemicals and wastes;

3. The proposed exterior lighting, where allowed, would not create hazards to motorists traveling on adjacent public streets or is adequate for the safety of occupants or users of the site or would not damage the value and diminish the usability of adjacent properties;

4. The provisions for buffers and on-site landscaping provide adequate protection to neighboring properties from detrimental or unsightly features of the development;

5. The proposed use would not have a significant, detrimental effect on the use and peaceful enjoyment of abutting property as the result of noise, vibrations, fumes, odor, dust, glare, hours of operation, or other causes;

6. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets would not create hazards to public safety or traffic congestion;

7. The proposed use would generate a volume of traffic that can reasonably be accommodated by the existing road network, or would not create unreasonable traffic hazards or would not exacerbate an existing traffic hazard, or would not create unreasonable traffic congestion;

8. The proposed use would not have a significant, detrimental effect on the value of adjacent properties, which could be avoided by reasonable modification of the proposal;

9. The proposed use would not have an adverse impact on the privacy of the residents of the immediate area (within 500 feet) which could be avoided by reasonable modification of the proposal.

10. The proposed use would be in compliance with Biddeford's comprehensive plan;

11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height,

DRAFT

identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;

12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;

13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;

14. Adequate provision has been made to control erosion or sedimentation;

15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;

16. The proposed water supply would meet the demands of the proposed project (and for fire protection purposes, if applicable.)

17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;

18. The proposed use would not have an adverse impact on scenic vistas, historic sites, archeological resources, or on significant wildlife habitat or wetland areas and water bodies, which could be avoided by reasonable modification of the proposal;

19. When located in the Shoreland Zone, the proposed use would meet the purposes of Shoreland Zoning as identified in Article XIV, Section 1 (Purposes) of this ordinance.

Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Planning Board approves the Extractive Industry for the proposed project summarized above, located at 21 Cole Road (Tax Map 18, Lot 39) in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

1. **Prior to any ground disturbance or issuance of any permits:**
   a. **Salt Management Plan to be provided for review and approval by the Planning Department.**
   b. **Provide SPCC plan for review and approval by the Planning Department.**
2. **Prior to issuance of any occupancy permits or commencement of plant operations:**
   a. **A compliance inspection needs to occur by the Engineering Department to determine that all site improvements as shown on the submitted plan were constructed in accordance with the approved plans.**

DRAFT

b. A performance guarantee (amount to be determined by the Planning Department) in the amount of 150% of any remaining site improvements shall be submitted to the Planning Department.

c. The gated accessway into the site with a proposed lock shall be equipped with a Knox Box. Knox box type and location shall be approved by the Fire Department.

d. The Applicant shall work with the City to mitigate any potential impacts on the condition of Cole Road as a result of re-operating the plant. The applicant may be required to make physical improvements to Cole Road, bond future physical improvements necessary due to impacts from the operation, or may be required to contribute to the future reconstruction of Cole Road. The final determination of what is required to be made by the Department of Public Works. If the applicant does not agree with the determined requirements, the applicant may return to the Planning Board which would then make the final decision.

3. <u>Prior to commencing any work in the City Right-of-Way</u> the applicant must obtain a road-opening permit from the Public Works Department.

4. Operations hours shall be as per city Ordinance, which currently for extractive industries is 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturdays. No Sunday operation is permitted.

5. All erosion and sediment control measures need to be installed. The applicant shall notify the Engineering Department once installed so that Staff may inspect said installation, as necessary.

6. The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc., prior to commencing business, unless authority issuing said permit allows for such actions.

7. Standard Conditions of Approval apply.

_____
Planning Board Chairperson

_____
Date

DRAFT

SEBAGO TECHNICS

CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

Extraction & Site Plan Review Application

to the

City of Biddeford

for

21 Cole Road

Tax Map 18, Lot 39

on behalf of

Auburn Concrete

P.O. Box 1747

Auburn, ME 04211

April 2020

75 John Roberts Road – Suite 4A, South Portland, ME 04106-6963 • 207-200-2100 • Fax: 207-856-2206

SEBAGO TECHNICS

April 15, 2020
20142

Greg Tansley, A.I.C.P, City Planner
City of Biddeford
205 Main Street
Biddeford, ME 04005

Extraction & Site Plan Review Application; Concrete Batch Plant Facility
21 Cole Road, Tax Map 18, Lot 39
Auburn Concrete

Dear Greg:

On behalf of Auburn Concrete, we are pleased to submit this letter, application form, enclosed plans and associated documents for an Extraction & Site Plan Review application for the reutilization of the existing concrete batch plant and silos previously installed by Dragon Products Company, Inc. at their property located at 21 Cole Road. The approximately 8.3-acre parcel is located within the I1 Zoning District and is depicted on the City of Biddeford Tax Map 18 as Lot 39. It is our understanding that although the facility will not include the excavation of any material from the property, due to the volume of aggregate materials required to operate the plant, the facility is classified as an extraction operation As shown on the enclosed Existing Conditions Plan, the site was previously developed by the land owner as a concrete batch facility consisting of the batch plant with silos, a small office building and aggregate storage areas within block walls serviced by gravel access roads, municipal water and overhead electrical. The applicant has obtained a lease for the site and intends to invest in the existing plant and silos to upgrade as necessary to allow them to operate and produce concrete. The small office at the plant will be replaced by an 8' x 40' container which will provide internal storage for the concrete admixtures, and will include a 12' x 12' control room mounted on top. A picture of an existing similar operation is included in the application.

Another building exists on the site as shown and as it is quite dilapidated, it will not be reutilized for this operation, however, the existing concrete pad in the vicinity of the building contains an existing fueling station which will be utilized for on-site fueling of vehicles. This concrete pad will also provide a parking area for the concrete trucks and a storage area for the concrete blocks that are made from waste material returned from job sites. The existing aggregate storage areas, which are defined by block walls, will be heightened with three additional rows of block to increase the height by six feet. Additionally, a 24' x 60' concrete wash out area for the concrete trucks will be installed near the batch plant as shown on the Site Plan. This wash out area contains two-cells and is totally self-contained such that the water is stored and then occasionally pumped out for transport to a local wastewater treatment facility which accepts the water to assist in maintaining the pH balance of their process. The solids are

removed by the front-end loader as needed and reused. A picture of an existing similar wash out facility is included in the application. Existing vegetated areas along the perimeter of the property will be retained to buffer the operation from abutting properties and areas labeled as debris areas on the property will have the debris removed and the areas will be loamed and seeded.

The following information is provided to assist in the review of the project.

Site Access & Traffic

Access to the property will be from Route One to Cole Road to the existing gravel access drive to the site at the intersection of Cole Road and Old Port Road. Traffic will only be permitted to access the facility via the existing drive and only from Route One. Traffic associated with the facility will consist of concrete trucks which will originate from existing company facilities, and dump trucks to provide the raw materials to create the concrete. The applicant anticipates that the average production of the facility during the months of April to December will be approximately 100 cubic yards (cy) per day. As each concrete truck averages 7.8 cy per load, 13 concrete truck trips will be required to deliver the product. The raw materials to produce 100 cy of concrete will require 3 loads of sand, 3 loads of aggregate and 1 load of cement. Allowing for one person to operate the plant and another to operate the front end loader, the total vehicle trips associated with the operation during an average day would consist of the 2 personal vehicles arriving and leaving for the operators for 4 trips, the 13 concrete truck trips leaving full and returning empty for 26 trips and the 7 dump trucks arriving full and leaving empty for 14 additional trips for a total of 44 vehicle trips per day.

Noise & Buffering

The daily operation of the facility will consist of dump trucks unloading their materials into the blocked wall aggregate storage areas and cement at the batch plant as noted on the Site Plan. A front-end loader then loads the aggregate materials into the plant via the conveyor belt for storage which is then combined with the cement by the control room for mixing in the trucks. The potential noise sources associated with the operation consist of the trucks dumping the aggregates, the one load of cement each day to the plant, and the front-end loader feeding the plant. This is all generated in the area of the batch plant and the aggregate storage area. To minimize the potential impact on abutting properties especially to the east, the existing vegetation will be retained along the property perimeter and the existing topography will assist as the facility is located in a low area. To provide additional noise attenuation, the block walls of the aggregate storage area will be raised an additional 6-feet in height and another 8-foot high block wall will be installed along the edge of the vegetated buffer retained along the easterly property line. An additional wall exists in the southeasterly portion of the site. This wall will have two additional rows of blocks installed along the top for safety as well as noise attenuation. Additionally, the applicant has no intention of utilizing this corner of the property, so as noted on the Site Plan, the access road to this area will be discontinued to allow the area to further revegetate naturally.

75 John Roberts Road – Suite 1A, South Portland, ME 04106-6963 • 207.200.2100 • Fax: 207.856.2206

Stormwater/Erosion Control

The project site was previously utilized for the same operations such that the infrastructure including gravel access roads, aggregate storage areas and the plant itself are currently in place and only requiring updating and maintenance to allow the facility to operate again. Additionally, the project site consists of a depressional area that is lower than surrounding properties such that little to no runoff currently exists the property. As most of the water used by the facility is in the area of the plant, a vegetated depressional area will be constructed in the northwest corner of the site alongside the access drive to intercept any runoff that may occur in the plant area. Additionally, as little runoff leaves the site from developed areas, minimal erosion control measures are necessary. As the access drives are gravel, the potential for dust could occur due to truck traffic during dry periods. The applicant will apply water and calcium to the driveways as needed during those times to minimize the potential for dust.

We look forward to meeting with the Planning Board at their next regularly scheduled meeting to discuss the Extraction and Site Plan Review Application in more detail. In the interim, please call with any questions or if you require additional information. Thank you for your consideration.

Sincerely,

SEBAGO TECHNICS, INC

Shawn M. Frank, P.E.
Senior Project Manager

SMF:KDG/llg
Enc.

cc: Auburn Concrete

Table of Contents

Exhibit 1	Extraction & Site Plan Application
Exhibit 2	USGS Location Map
Exhibit 3	Tax Map & Abutter List
Exhibit 4	Financial Capacity/Performance Guarantee
Exhibit 5	Right, Title or Interest
Exhibit 6	Traffic Impact
Exhibit 7	Wells within 500'
Exhibit 8	Photographs of Site
Exhibit 9	Lighting
Exhibit 10	Elevations
Exhibit 11	Performance Standards

Exhibit 1

Application Form

City of Biddeford
Planning Board Application

P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

Type of Application:

__ Shoreland Zoning Permit _X_ Site Plan Review _X_ Extraction
__ Conditional Use Permit __ Subdivision __ Private Way
__ Other: _____

Applicant Information:

Name: Auburn Concrete
Mailing Address: 82 Goldthwaite Rd, P.O. Box 1747, Auburn, ME 04211
Telephone: 207-777-7600
Email: jcummings@auburnconcrete.com
What is your legal interest in the property?
__ Owner __ Potential Buyer with Contract _X_ Lease/Rental Agreement

Owner's Information:

Name: Dragon Products Co. Inc
Mailing Address: 57 Atlantic Pl, South Portland, ME 04106
Telephone: _____
Email: _____

Agent's Information:

Name: Sebago Technics, Inc / attn. Shawn Frank P.E.
Mailing Address: 75 John Roberts Road, Suite 4A, South Portland, ME 04106
Telephone: 207-200-2062
Email: sfrank@sebagotechnic.com

Engineer/Surveyor's Information:

Name: same as agent
Mailing Address: _____
Telephone: _____
Email: _____

Project Location and Lot Information:

Street Address: 21 Cole Road
Tax Map: 18 Lot: 39
Current Zoning: I1 Shoreland Zoning: no
Size of Lot: 361,548 ( )acres (X)s.f. Lot Frontage: _____
Existing use of Property: previously used as a batch concrete facility

Property currently serviced by:

__ City Road __ Public Sewer __ Public Water __ Public Trash
__ Private Road __ Septic System __ Private Well __ Private Hauler

Slope Conditions in Area of Construction (if applicable):
__Flat (0-3% slope) __Rolling (3-8% slope) __Hilly (8-15% slope) __Steep (15%+ Slope)

Are there any wetlands or waterbodies on the site? __ (Yes) X(No) if yes attach information
Do you plan to bring fill onto the lot? __(Yes) X(No) If yes attach information

Description of proposed use of property:

Project/Proposed Use:
Batch concrete facility

Property to be Serviced by:

__ City Road __ Public Sewer __ Public Water __ Public Trash
__ Private Road __ Septic System __ Private Well __ Private Hauler

Is this project part of a larger project? __(Yes) __(No)

NA **If in a Shoreland Zone:**
Percent of residential lot coverage (Max 20%): _____
Percent of structure expansion (Max 30%): _____
NA **If Subdivision Review, number of lots proposed:** _____
NA **If a Private Way is proposed, number of lots served:** existing access road off Cole Road

If Site Plan Review, you must provide the following information:

Total new square feet footprint of structure: _____
Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. _____
2. _____
3. _____
4. _____
5. _____

Attachments:

A. Letters of Approval
__ Fire Department-Contact Chief or Deputy Chief – 282-9986
__ Ability to Serve for Water Service – Maine Water – 282-1543
__ Ability to Serve for Sewer Service – Engineering Dept – Tom Milligan 284-9118
__ Police Department – e-911 Road Name Designation – Contact Joanne Fisk 282-5127

B. Letter to Planning Board describing project, Waiver requests, proposed improvements, addressing permit requirements, ect.
C. Photographs of Site.
D. Architectural renderings/drawings of proposed buildings, as required.
E. Engineering Plans, as required.

Fees (Due at time of Submission):

- $40 Nonrefundable Administration Fee is required for every application.
- Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and it's attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of the review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting an application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

__ Project proposed to have 1 acre or more of Site disturbance:
-Project may need to apply for a Maine Construction General Permit and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of Applicant: _____ **Date** 4/15/2020

Signature of Property Owner: _____ **Date** _____

IF PLAN APPROVAL IS ANTICIPATED, PROVIDE 2 FULL SIZE MYLARS & 2 FULL SIZE PAPER COPIES FOR BOARD SIGNATURE (AS APPLICABLE)
CHECKWITH PLANNING STAFF FOR CLARIFICATION.

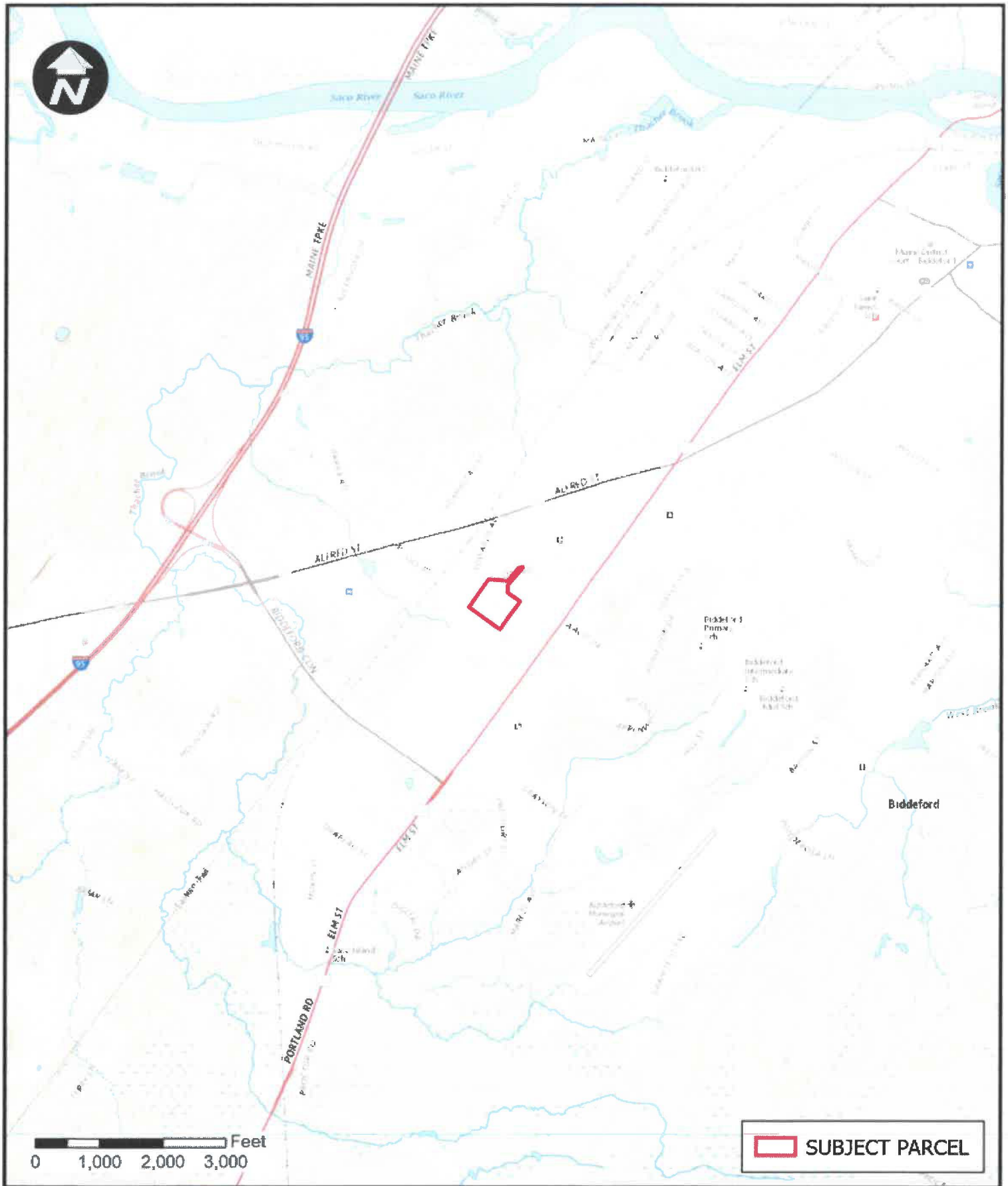
Exhibit 2

USGS Location Map

Exhibit 2

USGS LOCATION MAP

Please see this Exhibit for USGS Location Map.



SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 Johnson Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

LOCATION MAP
FOR: AUBURN CONCRETE

SCALE: 1:24,000

DATE: 04/09/2020

LOCATION:
21 COLE ROAD
BIDDEFORD, MAINE

INFORMATION:
USGS Quad Sheet: Biddeford

20142_LOCATION MAP.APRX

PROJECT: 20142

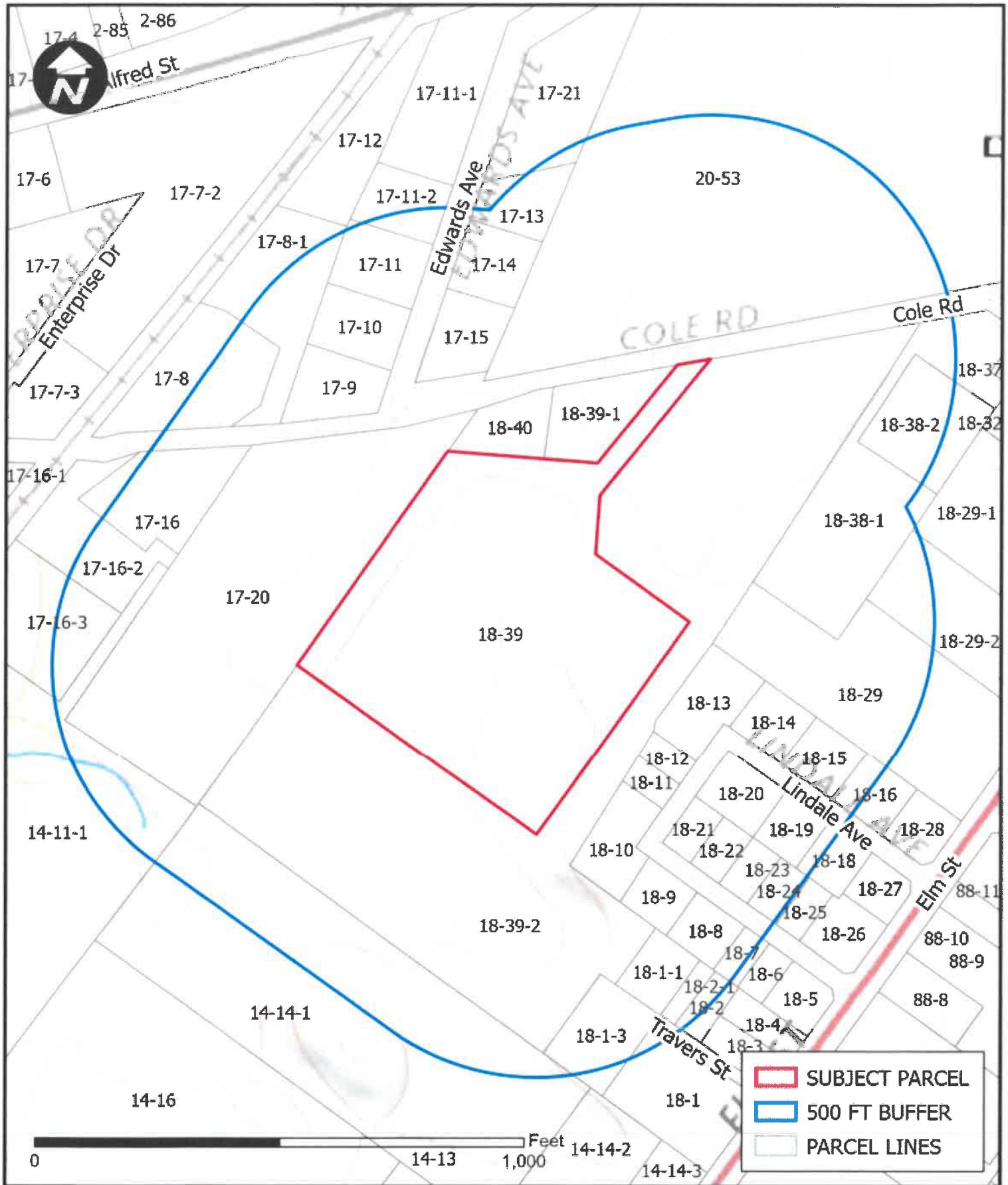
Exhibit 3

Tax Map & Abutter List

Exhibit 3

Tax Map & Abutter List

Please see this Exhibit for copies of the tax map and abutter information.



SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

ABUTTER MAP
FOR: AUBURN CONCRETE

SCALE: 1:3,136
DATE: 04/09/2020

LOCATION:
21 COLE ROAD
BIDDEFORD, MAINE

INFORMATION:
USGS Quad Sheet: Biddeford

20142_LOCATION MAP.APRX

PROJECT: 20142

17-20

St Demetrios Cemetery

23 Cole Rd

Biddeford, ME 04005

17-16-3

Richard M Lowe

861 Harold L Dow Highway

Elliot, ME 03903-3109

17-16-2

Karen M Martin

31 Cole Road

Biddeford, ME 04005

17-16

St Demetrios Hellenic Orthodox Cemetery Assoc

P.O. Box 205

Biddeford, ME 04005-0205

17-9

Webber Hospital Association

Dba Southern Maine Health Care

P.O. Box 626

Biddeford, ME 04005

17-10

Muriel M. & Ronald R. Desmarais

3 Edwards Ave

Biddeford, ME 04005-3709

17-11

Raymond C Patoine & Susan Gagnon

103 Thompson Road

Arundel, ME 04046

17-11-2

Shawn & Dennis Girard

P.O. Box 360

Limerick, ME 04048

17-15

Lori A. Delano

18 Cole Road

Biddeford, ME 04005

17-14

Edward P. & Cindy L Caron

8 Edwards Ave

Biddeford, ME 04005-3753

17-13

Roberge Construction, Inc.

P.O. Box 18

Biddeford, ME 04005-0018

17-21

Westview Plaza Inc.

c/o Roberge Construction Co

P.O. Box 18

Biddeford, ME 04005-0018

20-53

Greenwood Cemetery

P.O. Box 1323

Biddeford, ME 04005-1323

18-40

Alexsandro S & Ann M Carbone

19 Cole Road

Biddeford, ME 04005-3708

18-39-1

Roland R & Mary Beth Nolette

15 Cole Road

Biddeford, ME 04005

18-39-2

Cole Road Properties LLC

61 Harding St

Biddeford, ME 04005

18-37

Tom Sangillo

48 Alfred St

Biddeford, ME 04005

18-38-2

Ronald Madore, Inc

7 Island View Dr

Biddeford, ME 04005

8-38-1

1 Ronald Madore, Inc

7 Island View Dr

Biddeford, ME 04005

18-29

Covehead Bay Holdings, LLC

48 Oceanside Dr

Saco, ME 04072

18-29-2

Atlas Memorial, Inc

400 South Stewart St

Sonora, CA 95370

18-13

Everett & Lorina Boucouvalas

P.O. Box 2337

Biddeford, ME 04005-2337

18-14

Larry & Priscille Hetzel

8 Lindale Ave

Biddeford, ME 04005-4204

18-15

Donald & Suzanne Lavigne

6 Lindale Ave

Biddeford, ME 04005-4204

18-16

Joyce Ladderbush

4 Lindale Ave

Biddeford, ME 04005

18-11

Denise Pitt

16 Lindale Ave

Biddeford, ME 04005

18-12

John & Doris Mcauliffe

14 Lindale Ave

Biddeford, ME 04005-4204

18-10

Bruce & Lisa Quigley

18 Lindale Ave

Biddeford, ME 04005-4214

18-20

Glenn & Cheryl Labrecque

7 Lindale Ave

Biddeford, ME 04005-4203

18-19

Gilles & Geraldine Lauzon

24 Bay Ave

Saco, ME 04072

18-18

Bryce Cloward

3 Lindale Ave

Biddeford, ME 04005

18-21

Jamie Andrews & Daniel Manson

11 Lindale Ave

Biddeford, ME 04005

18-22

Timothy Foley

13 Lindale Ave

Biddeford, ME 04005

18-23

ANDRE J & MICHELINE GOULET

15 LINDALE AVE
BIDDEFORD, ME 04005

18-24

RAYMOND H & FRANCES M NADEAU

17 LINDALE AVE
BIDDEFORD, ME 04005-4214

18-9

DIANE E NASON

20 LINDALE AVE
BIDDEFORD, ME 04005

18-8

DAVID F BURLEY

22 LINDALE AVE
BIDDEFORD, ME 04005

18-7

BENNIE RAYE JONES

24 LINDALE AVE
BIDDEFORD, ME 04005

18-2-1

ERICA L SNOW

44 JONES CREEK DR
SCARBOROUGH, ME 04074

18-2

THOMAS R DANIS

10 TRAVERS ST
BIDDEFORD, ME 04005-4210

18-1-1

JON B HALL

14 TRAVERS ST
BIDDEFORD, ME 04005-4210

18-1-3

JON B HALL

14 TRAVERS ST
BIDDEFORD, ME 04005-4210

18-1

VALERIE L NOLETTE

15 GEORGETOWN DR
BIDDEFORD, ME 04005

14-4-1

SOUTHPARK LLC

26 RIVER'S EDGE DR
KENNEBUNK, ME 04043

14-11-1

CITY OF BIDDEFORD

PO BOX 586
BIDDEFORD, ME 04005

Exhibit 4

Financial Capacity/Performance Guarantee

Exhibit 4

Financial Capacity

Please see this Exhibit for a letter of financial capability from the applicant's financial institute. Additional financial information can be provided as necessary.

Androscoggin Bank

April 10, 2020

Re: Financial Strength Statement

To: Whom It May Concern,

This letter is to inform you that R.A. Cummings, Inc. dba Auburn Concrete has been a valued client of Androscoggin Bank since 2002. In that time they have demonstrated fiscal responsibility and all accounts are in good standing with the bank.

Thank you,

Jenny K. Flagg

AVP, Commercial Portfolio Manager

Androscoggin Bank

P.O. Box 1407 Lewiston, ME 04243-1407

207-376-3541

Exhibit 5

Right, Title or Interest

Exhibit 5

Right, Title, or Interest

Please see this Exhibit for a copy of:

- Record property deed of parcel
- Lease agreement between Auburn Concrete and Dragon Products Company, Inc.

BK8968 PG180

041222

WARRANTY DEED

ECCO CONCRETE, INC., a Maine corporation having a place of business in Biddeford, Maine, for full value and consideration paid, hereby grants to
DRAGON PRODUCTS COMPANY, INC., a Delaware corporation with a principal place of business at 38 Preble Street, Portland, Maine 04101, with warranty covenants, the following real estate:

A certain lot or parcel of land, with the buildings and improvements located on it, located on and south of Cole Road in the City of Biddeford, York County, Maine, bounded and described as follows:

Beginning on the south side of Cole Road at an iron rod or pipe found at the east corner of land conveyed to Nolette by 1985 deed recorded in Book 3646, Page 173;

Thence South 55° 26' 07" West, along land of Nolette, 194.73 feet to an iron rod or pipe found at the south corner of the land conveyed to Nolette;

Thence North 65° 27' 51" West, along land of Nolette and land conveyed to Dartt in Book 3151, Page 151, 312.40 feet to an iron rod to be set at land now or formerly of St. Demetrios Cemetery;

Thence South 55° 24' 24" West, along the land of the Cemetery, 471.10 feet to an iron rod to be set;

Thence South 27° 07' 12" East, along remaining land of Ecco Concrete, 662.21 feet to an iron rod to be set about 50 feet from land now or formerly of O'Brien;

Thence North 53° 12' 46" East, along remaining land of Ecco Concrete, 379.13 feet;

Thence North 55° 53' 17" East, along remaining land of Ecco Concrete, 158.14 feet to an iron rod to be set;

Thence North 47° 07' 02" West, along remaining land of Ecco Concrete, 243.47 feet to an iron rod to be set;

Thence North 24° 52' 49" East, along remaining land of Ecco Concrete, 172.52 feet to an iron rod to be set;

Thence North 55° 26' 07" East, along remaining land of Ecco Concrete, 329.74 feet to an iron rod to be set at Cole Road;

Thence North 79° 44' 17" West, along Cole Road, 70.93 feet to the point of beginning.

MAINE R.E. TRANSFER TAX PAID

Containing 8.309 acres, more or less. Bearings are magnetic north 1993 based on a June 17, 1998 survey plan by Paul P. Gadbois, RLS.

TOGETHER WITH an appurtenant easement for access to Cole Road by all means and for the installation, use and maintenance of utility services, over land formerly of Dartt, over an area of land which is 50 feet wide and 80 feet long, more or less, located on the west side of the former Dartt property and generally southeast of the land of the Cemetery. Being the same easement reserved by Arthur Croteau in the 1955 deed recorded in Book 1272, Page 552, the same easement conveyed to Lucienne Bourque by 1955 deed recorded in Book 1272, Page 553, and the same easement conveyed to Ecco Concrete, Inc. by 1990 deed recorded in Book 5448, Page 232. Also releasing to the Grantee, with quitclaim covenant only, all right, title and interest in any other easement claim for the use of the gravel drive now or formerly used to provide access to the 8.308 acre parcel described above.

RESERVING, HOWEVER, to Ecco Concrete, Inc., its successors and assigns, for the benefit of its remaining land to the southwest of the parcel described above ("Retained Land"), an appurtenant easement over a strip of land between Cole Road and the Retained Land, and the portion of the 8.309 acre parcel described above affected by this reserved easement is further described as follows:

Beginning at an iron rod to be set at the west corner of land formerly of Dartt located approximately 80 feet southwest of Cole Road;

Thence South 55° 24' 24" West, along land of the Cemetery, 471.10 feet to the Retained Parcel;

Thence South 27° 07' 12" East, along the Retained Parcel, 65+ feet to point located 65 feet from the last course on the line drawn perpendicular to it;

Thence North 55° 24' 24" East, across the 8.308 acre parcel described above, 245.94 feet;

Thence North 34° 35' 36" West, across the 8.308 acre parcel described above, 15.00 feet;

Thence North 55° 24' 24" East, across the 8.308 acre parcel described above, 263.58 feet to land formerly of Dartt;

Thence North 65° 27' 51" West, along land formerly of Dartt, 50+ feet to the point of beginning.

PROVIDED, HOWEVER that nothing shall be done by the holder of this reserved easement to interfere with the use and enjoyment of the existing building located partially within the 50 foot wide portion of this easement area, as shown on the 1998 survey plan described above.

This reserved easement shall be for access for all means and for installation and maintenance of utility services, over the portion of the 8.308 acre parcel described above and the easement on the former Dartt land described in the preceding paragraph, to be used in common with the owner of the 8.308 acre parcel described above, but **subject, however,** to the following conditions:

a. The easement may only be used for the benefit of the Retained Land and may not be used for the benefit of any other land, without the express written consent of the owner of the 8.308 acre parcel described above.

b. The existing gravel road will remain in its current condition and will not be changed or altered, without the express written consent of the owner of the 8.308 acre parcel described above.

c. The holder of the easement shall not interfere with the operations of the owner or occupant of the 8.308 acre parcel described above, and the use of the easement may be so limited in the sole discretion of the owner or occupant of the 8.308 acre parcel described above.

d. Should the Retained Land ever obtain other reasonable access to any public road, either directly or by being combined with any adjacent land to the south or west of the Retained Land, then this easement shall automatically terminate, and the holder of the easement shall sign and deliver a recordable Release of this reserved easement to the owner of the 8.308 acre parcel described above.

e. The owner of the Retained Land shall make no use of the former Dartt parcel which overburdens the existing easement(s) across the former Dartt parcel.

TOGETHER WITH an appurtenant easement over the following parcel of land to the southeast of the parcel described above:

Beginning at the south corner of the 8.308 acre parcel described above, at the iron rod to be set located about 50 feet from the west corner of land now or formerly of O'Brien;

Thence South 27° 07' 12" East, along remaining land of Ecco Concrete, 50.72 feet to an iron rod to be set at the west corner of land of O'Brien;

Thence North 53° 12' 46" East along land of O'Brien, land now or formerly of Pitt, land now or formerly of Ross and land now or formerly of Van Romakarof, 386.48 feet;

Thence North 55° 53' 17" East, along land now or formerly of Van Romakarof and land now or formerly of Methot Buick, 168.48 feet to an iron rod or pipe found;

Thence North 47° 07' 02" West, along remaining land of Ecco Concrete, 51.12 feet to an iron rod to be set at the 8.308 acre parcel described above;

Thence South 55° 53' 17" West, along the 8.308 acre parcel described above, 158.14 feet;

Thence South 53° 12' 46" West, along the 8.308 acre parcel described above, 379.13 feet to the point of beginning.

This easement shall give the owner of the 8.308 acre parcel described above the exclusive use and enjoyment of the area described above for all lawful purposes.

Furthermore, should the Retained Parcel ever be combined with other adjacent land providing "lot frontage" for the Retained Land under the City of Biddeford Zoning Ordinance ("Permitted Lot Frontage"), or should the Retained Land ever obtain Permitted Lot Frontage along any private road (which may be provided by the owner of the 8.308 acre parcel described above over the 50 foot wide access and utility easement to the Retained Land reserved above), or should Permitted Lot Frontage no longer be necessary due to a change in the Biddeford Zoning Ordinance, then the owner of the servient estate shall convey this 50 foot wide parcel of land to the holder of the easement at no additional consideration, by warranty deed, with good and marketable title in accordance with the Maine State Bar Association Title Standards.

TOGETHER WITH an 18 foot wide access and utility services appurtenant easement leading from the 8.308 acre parcel and the 50 foot wide exclusive easement described above to Lindale Avenue, further described the 1968 deed recorded in Book 1829, Page 254, but subject to the conditions set forth in that 1968 deed. The Grantor does not reserve any rights in this 18 foot wide easement for itself or its successors and assigns, as it intends to convey the exclusive right to use this easement to the owner of the 8.308 acre parcel described above.

TOGETHER WITH any appurtenant easement and right of way, if any, that the Grantor may have in the "Old Post Road" as described in the 1950 deed to Lucien A. Bourque recorded in Book 1162, Page 349, and further described in the 1963 deed to Lucien Bourque, Inc. recorded in Book 1548, Page 20, fifth parcel.

Being a portion of the premises described in a 1990 Deed from Lucien Bourque, Inc. recorded in Book 5447, Page 41, including the parcel described in a June 17, 1998 Correcting Deed from Lucienne Bourque recorded in Book 8855, Page 347, and the same easement described in the 1990 Deed from Lucienne Bourque recorded in Book 5448, Page 232.

SUBJECT, HOWEVER, to 1951 utility easements given by Central Maine Power Company and New England Telephone & Telegraph Company recorded in Book 1179, Page 352 and Book 1179, Page 353.

SUBJECT, HOWEVER, to real estate taxes assessed April 1, 1998, which the grantee assumes and agrees to pay.

Dated: June 18, 1998

Ecco Concrete, Inc.

By: _____
Earle A. Cianchette, President

State of Maine
County of Cumberland, ss. June 18, 1998

Earle A. Cianchette personally appeared before me and acknowledged that he is the President of Ecco Concrete, Inc. and that his signature on this deed was his free act and deed and the free act and deed of Ecco Concrete, Inc.

Before me,

_____
Notary Public/Attorney-at-Law

CHRISTOPHER S. NEAGLE
Type or Print Name

DRAFT: 6-17-98 (#2)
P:\CSN\DRAGON\BIDDEFOR\DEED.WPD

RECEIVED YORK S S.
1998 AUG 13 P 12: 57
ATTEST: Lois M. Blaney
REGISTER OF DEEDS

5 pg + D

Exhibit 6

Traffic Impact

Exhibit 6

Traffic Impact

Traffic associated with the facility will consist of concrete trucks which will originate from existing company facilities, and dump trucks to provide the raw materials to create the concrete. The applicant anticipates that the average production of the facility during the months of April to December will be approximately 100 cubic yards (cy). As each concrete truck carries 7.8 cy per load, 13 concrete truck trips will be required to deliver the product. The raw materials to produce 100 cy of concrete will require 3 loads of sand, 3 loads of aggregate and 1 load of cement. Allowing for one person to operate the plant and another to operate the front end loader, the total vehicle trips associated with the operation during an average day would consist of the 2 personal vehicles arriving and leaving for the operators for 4 trips, the 13 concrete truck trips leaving full and returning empty for 26 trips and the 7 dump trucks arriving full and leaving empty for 14 additional trips for a total of 44 vehicle trips per day.

Exhibit 7

Wells within 500'

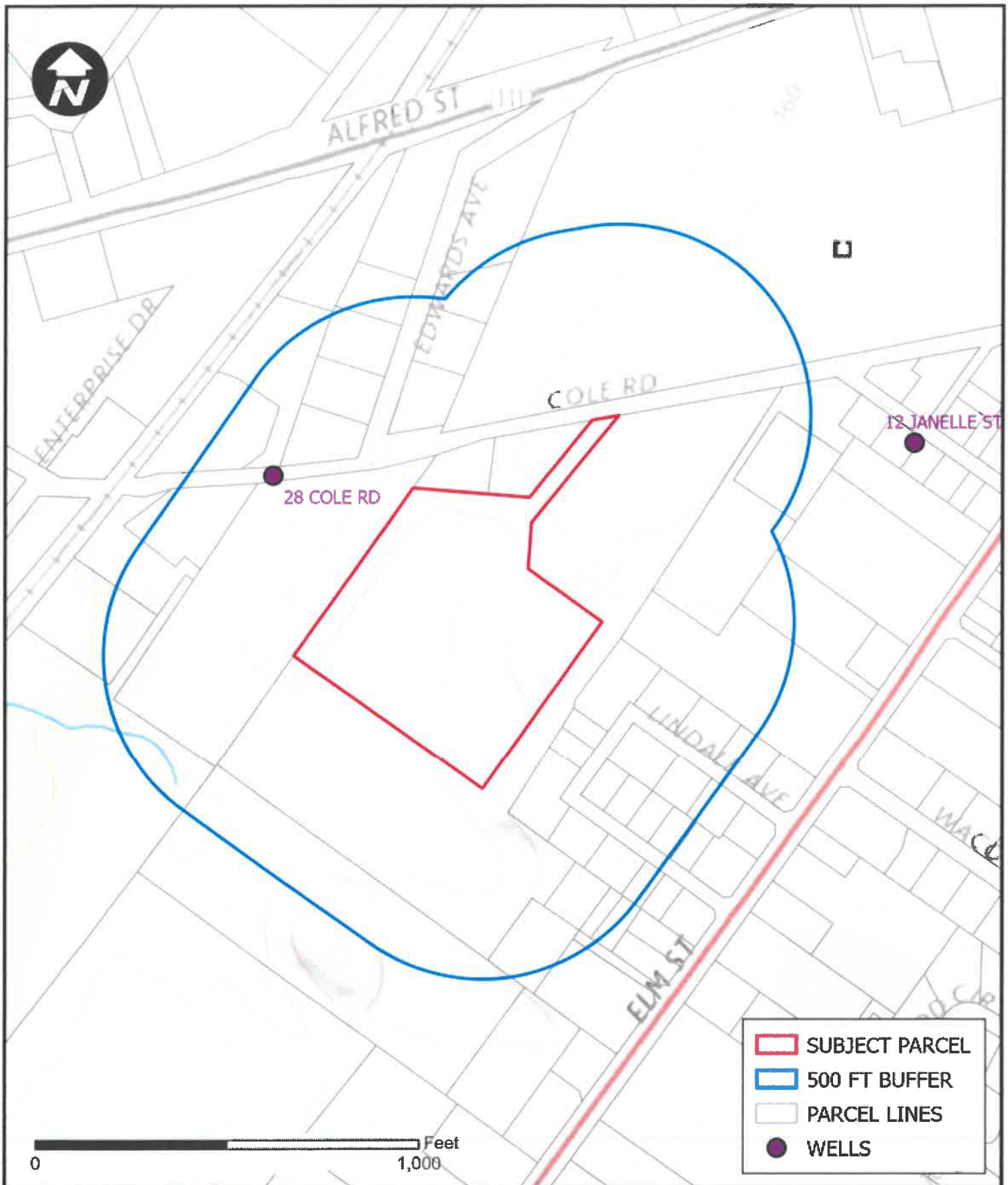
20142

Exhibit 7

Wells within 500'

There one well located within 500' of the subject site. The well is a domestic well located northwest of the subject site at 28 Cole Road. The Maine State well database has a drill date of March 2018.

Please see this Exhibit for a figure showing the location of all wells within 500'



SEBAGO TECHNICS

WWW.SEBAGOTECHNICS.COM

75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

WELL PROXIMITY MAP
FOR: AUBURN CONCRETE

SCALE: 1:4,000

DATE: 04/09/2020

LOCATION:
21 COLE ROAD
BIDDEFORD, MAINE

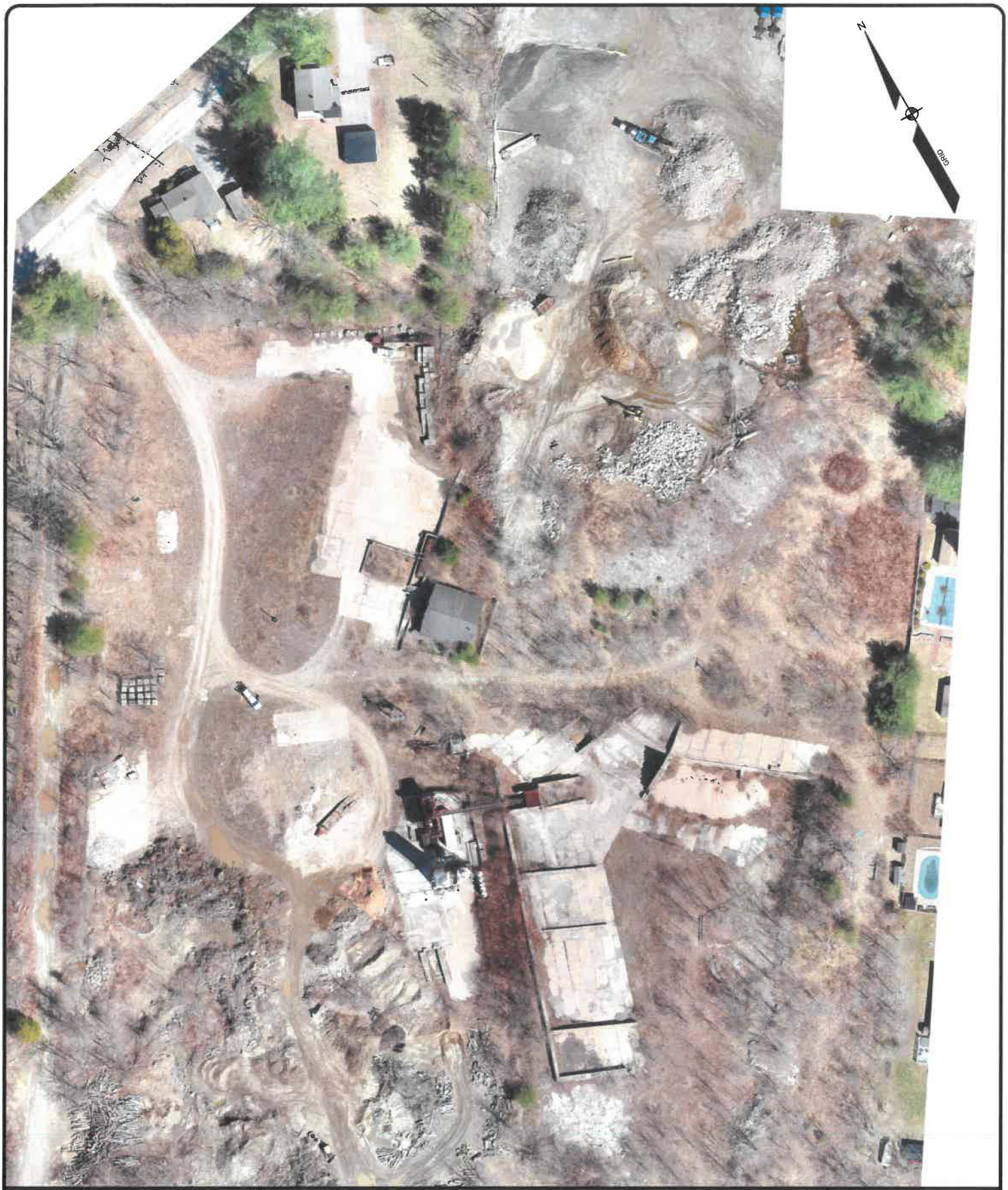
INFORMATION:
USGS Quad Sheet: Biddeford

20142_LOCATION MAP.APRX

PROJECT: 20142

Exhibit 8

Photographs of Site



SEBAGO TECHNICS WWW.SEBAGOTECHNICS.COM 75 John Roberts Rd. Suite 4A South Portland, ME 04106 Tel. 207-200-2100	AERIAL PHOTO - APRIL 7, 2020 OF		SCALE: 1"=100' DATE: 4/15/20
	LOCATION: 21 COLE ROAD BIDDEFORD, MAINE	FOR: AUBURN CONCRETE 82 GOLDTHWAITE ROAD AUBURN, MAINE 04211	SHEET: 1 OF 1

20142IMG.dwg, TAB: 8x11

Site Photographs

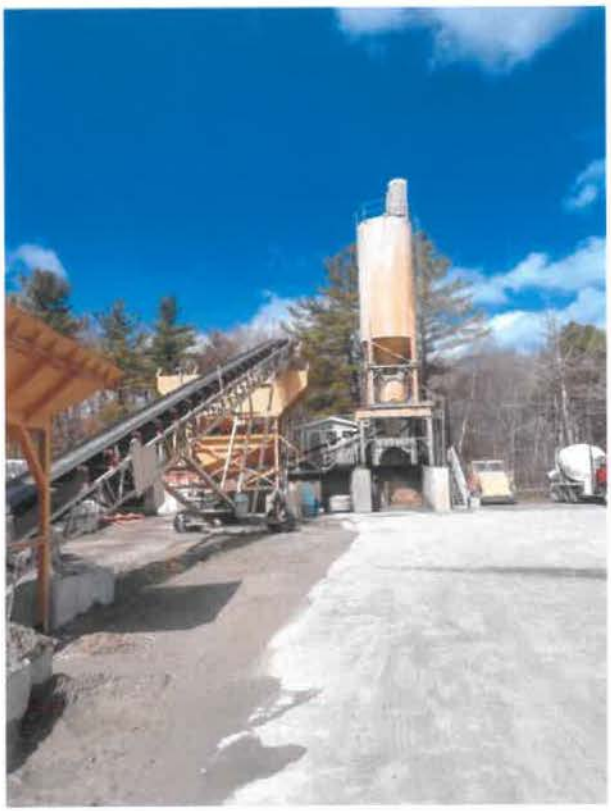


Exhibit 8

Photographs

Please see this Exhibit for photographs of the project area.

Exhibit 9

Lighting Specifications

Exhibit 9

Lighting Specifications

No new lighting is proposed for the project site.

Exhibit 10

Elevations

Exhibit 10

Elevations

No new buildings are proposed in association with this application. The existing plant and silos will be updated and utilized, the existing building will be demolished and a trailer will be located next to the plant for storage of admixtures required for concrete mixes.

Exhibit 11

Performance Standards

Exhibit 11

Review Criteria & Performance Standards

Review Criteria

The proposed project has been designed to be in compliance with the review criteria of the City Ordinance:

- The proposed project will not unreasonably result in unsafe or unhealthful conditions;
- The proposed project will not unreasonably result in erosion or sedimentation;
- The proposed project will not unreasonably result in water pollution nor adversely affect existing groundwater, springs, ponds, rivers, brooks or streams;
- The proposed project will conserve natural beauty in keeping with the rehabilitation provisions of Subsection 11 of this section.
- The proposed project will not adversely affect public ways;
- The proposed project will not adversely affect surrounding properties;

Performance Standards

A. Excavation shall not occur within five feet of the seasonal highwater table. If standing water already exists in the excavated area, no further excavation that would result in an increased area of standing water shall be allowed. The Planning Board may allow excavation to extend to or below the water table and an area of standing water may be increased through excavation if such excavation is approved by the Maine Department of Environmental Protection (MDEP).

The proposed project involves the expansion of an existing facility where no extraction of materials occurs or is proposed. No excavation will occur within five feet of the seasonal highwater table.

B. At least one pit or monitoring well must be maintained on each five acres of excavation. Said pit or well shall be available to public officials or their agents should data on either water table elevation or water quality be deemed necessary to adequately monitor the operation's impact on groundwater.

Not Applicable. No extraction occurs on site or is proposed for the expanded site.

C. The following setbacks must be maintained between the excavation and a water supply in existence prior to the excavation:

1. *Dug well or point-driven well: 300 feet.*
2. *Well drilled into saturated bedrock: 150feet.*

3. *Public water supply serving 500 or fewer persons: 500 feet.*

4. *Public water supply serving more than 500 persons: 1,000 feet.*

There is no proposed excavation to be done on site. There is one well that is approximately 300 feet from the project boundary limits, please see the attached Exhibit 7.

D. *All fuels or hazardous materials must be stored within spill-proof secondary containment with sufficient capacity to contain 110% of the volume of the single largest container. Equipment refueling and oil changes must take place over impervious surfaces. Routine maintenance operations are allowed for fixed equipment such as screens, crushers and wash facilities, provided that precautionary measures such as portable drip pans or vacuum devices are used. The applicant shall further detail what measures he/she is prepared to take in the event of a fuel or hazardous materials spill.*

Any fuel or hazardous materials that are proposed to be stored on site will be done so in compliance with the requirements of 40 CFR 112 of the Code of Federal Regulations as well as any applicable State or local requirements.

E. *No part of any extraction operation shall be permitted within 100 feet of any property line or right-of-way. Natural buffer strips shall be maintained between the excavation and adjacent natural and man-made features. If vegetation within a natural buffer strip was removed or disturbed by the excavation before it became subject to this ordinance, the vegetation shall be reestablished in a manner that conforms to the screening requirements of this section before any additional excavation takes place.*

Natural buffer strips shall be required as follows:

1. *Great pond, river or coastal wetland: 250 feet.*

2. *Stream, brook or freshwater wetland: 250 feet.*

3. *Public road right-of-way: 100 feet.*

4. *Private road right-of-way: 50 feet.*

5. *Property boundary: 75 feet.*

The proposed facility will not involve the extraction of material from the site. Please see the plan set for information on proposed setbacks and buffering.

F. *Except for access roads and grubbed areas, all reclaimed and unreclaimed areas must be naturally internally drained unless the applicant prepares a stormwater management plan that demonstrates to the satisfaction of the Planning Board that surface water discharges from areas that are not internally drained will not be increased as a result of stormwater runoff from storms up to a level of intensity of a twenty-five-year, twenty-four-hour storm.*

It is the intent of the applicant either via the existing topography or by minor

regrading of areas of the site, to assure that all active areas of the operation are internally drained.

G. Topsoil stockpiles to be used for reclamation must be seeded, mulched or stabilized, grubbed areas must be stabilized and all disturbed portions of the subject parcel must be protected from erosion and sedimentation by a plan approved by the Planning Board and in conformance with the Maine Erosion and Sediment Control Handbook Best Management Practices, March, 1991, or as amended.

Erosion control on the site will be managed in accordance with the Maine Erosion and Sediment Control Handbook Best Management Practices. Please see the plan set for more detailed information on erosion control at the site.

H. Sufficient sight distance shall be provided at the intersection of the access road with a public or private road. At a minimum, sight distance shall be 10 feet for every mile per hour of posted speed limit on the public or private road. Points of access of the excavation operation onto public or private roads must be located, posted and constructed in accordance with the standards for roadways adopted in Chapter 62, Streets, Sidewalks and Other Public Places, of the City's Revised Code of Ordinances.

The proposed project will utilize an existing access road. The posted limit along Cole Road is 25 mph. Please see the site plan for site distance information.

I. Hours of operation shall not exceed 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturdays. No Sunday operation is permitted. Hours of operation for blasting operations shall be according to Chapter 34, Environment, Article V, Blasting. The hours of operation may be further restricted by the Planning Board if it is determined that the above-listed hours of operation will unreasonably interfere with residential uses in existence at the time an application for an excavation permit is determined to be complete. In the event of an emergency request for sand or gravel from public safety officials, the Code Enforcement Officer may temporarily authorize alternative hours of operation. Use of the property upon which the extraction operation occurs shall be restricted to activity related to the extraction operation.

NO actual extraction of materials will occur with the proposed operation. Instead, aggregates will be trucked into the facility for use in the processing concrete for use in local construction projects. As the proposed business does not actually extract material the applicant would appreciate consideration to determine if the hours of operation requirements are mandatory for this operation.

J. Noise levels generated by an extraction operation shall be regulated by Chapter 34, Article III, Noise, of the City of Biddeford Revised Code of Ordinances

There will be no extraction processes as part of the proposed project. Any noise generated at the site will be in compliance with the noise ordinance of the City of Biddeford.

K. *The access road and internal roadways shall be treated to control dust as necessary with water or calcium chloride. The access road leading from the excavation site to a public road shall be paved for a distance of no less than 100 feet from its intersection with the public road.*

The access road will be treated with water or calcium chloride as needed to control dust.

L. *Loaded vehicles shall be in accordance with Maine Revised Statutes Annotated*

Loaded vehicles will be done so in accordance to State regulations.

M. *No blasting shall be done as part of any excavation operation except in accordance with Chapter 34, Environment, Article V, Blasting.*

There is no proposed blasting as part of this project, either in development or daily operation.