

**Planning Board Meeting  
Held**

February 5, 2024

The meeting was called to order at 7:00 p.m. at the Limington Municipal Complex by Chair, Joyce Foley. Planning Board members present: Joyce Foley, Darryl Hubbard, Pete Langevin, Grace Davis and Victoria Kundishora.

Members absence: Bob Gervais

Staff present: Donna Sawyer, Planning Board Secretary and Craig Galarneau, Code Enforcement Officer

Others present: Deborah and Mark Glanville, Jason Webster, Tammy Ramsdell, Mary Lawrence and Bonnie Lord.

**Agenda Items:**

1. Demolish 2 buildings and build a new home in the Shoreland Zone, 11 Wigwam Lane, Map U6, Lot 10 – Deborah & Mark Glanville
2. Workshop Discussion of Gravel Pit Ordinance
3. Review Minutes of December 12/18/23 and January 15

**Build a new home in the Shoreland Zone, 11 Wigwam Lane, Map U6, Lot 10** – Deborah & Mark Glanville

Chair Foley opened the meeting and asked Deborah Glanville to come forward and discuss her project to build a new home at 11 Wigwam Lane.

Deborah Glanville said they have revised their new home design and she distributed new plans for the home, the septic design and a site plan. The daylight basement has been removed from the design. Chair Foley asked Craig Galarneau, CEO, if the new design met the height requirement in the Ordinance which is 25 Ft. and he responded saying everything looks good.

Darryl Hubbard wanted to see where the septic tank was located on the new plan. Deborah Glanville said the new septic tank will be moved. Chair Foley asked Deborah Glanville to have their contractor show exactly where the new tank will be located on 2 of the plans. Grace Davis made a motion to accept the new design and to show on 2 copies of the plans the location of the new septic tank. Victoria Kundishora seconded the motion. All in favor and motion carried.

Chair Foley closed the meeting and moved the discussion to a workshop.

**Workshop Discussion of revisions to Gravel Extraction Ordinance**

First, Chair Foley read from a prepared statement saying all comments from the floor must be respectful. Chair Foley said that the changes to the Gravel Extraction Ordinance have been

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reviewed by the town's attorney and the Board will discuss those changes tonight. There will not be any votes taken tonight.

The Board will meet on Tuesday, February 20th, to vote on the final version of the proposed articles. A public hearing will be scheduled then the articles will be forwarded to the Selectboard for them to hold their required Public Hearing and then move forward as referendum questions at the June special town meeting. Chair Foley said that if the gravel pit owners did not want to show up tonight, they can submit written comments prior to February 19<sup>th</sup>.

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Foley read an email sent to the Board as prepared by Lindsey Dearborn, pit owner, dated January 23, 2024. Her email will be attached to these minutes as attachment 1.

Chair Foley read a second email from L. P. Murray dated January 23rd and addressed to the Selectboard and Lindsey Dearborn. A quick overview of the document states that Lindsey Dearborn does not want to hold the discussion at a public but rather have a round table discussion off camera. Also, she asked who would have a copy of the original copy of the gravel extraction document that she or others could edit it. A copy of L. P. Murray's email will be filed with these minutes as attachment 2.

Chair Foley said she found the emails condescending, disrespectful, arrogant, and self-serving. Chair Foley said this is not a citizens' petition; it is a Planning Board referendum question. Foley read aloud how the referendum process works in Limington and it is located in Article 16 Amendments on page 199 of the Ordinance for Limington.

Chair Foley also said she has spoken with 4 Code Enforcement Officers in surrounding towns. The CEOs said that a couple of pit owners wrote their town's extraction ordinance. All of these towns did not have a requirement for annual inspection, fees, hydro study and controls.

Chair Foley also said she talked with the Department of Public Works, Mike Clark, and he said they only do inspections once every 3 years and enter data into a database and do not write a report. A report is written if there is an issue and sent to the owner. They work with the owner of the pit after they have addressed the issue. Towns do not see those reports.

Chair Foley told the members she called the Mining Safety & Health Administration because Mr. Murray said he was required to meet MS&HA inspections, etc. and she learned she needed to call the office in Pennsylvania that was the District Office for Maine. Mr. Murray's pit has not been inspected since 2022 and Mr. Murray asked to be put on a temporary "idle status" which means they do not get inspected while on "idle" status. Mr. Murray has not told them that he is back in operation.

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To continue, Chair Foley said the Board has acted promptly, and professionally within the ordinance requirements. This Ordinance has been reviewed by the town's attorney and he has sent back recommendations to the Board. One recommendation was that an annual inspection be carried out. Regarding renewal inspections, the attorney suggested an annual study. The pit owners were concerned about a hydro study and our current ordinance says the Board may require a study. Language could be added to our ordinance to have a hydro study.

Monitoring wells can be added to the Ordinance to monitor the high water table but language should be strengthened. It is illegal for a pit to go below the high-water table. However, the pits operating in Limington will be grandfathered. They will not have to meet any of the new requirements unless they come in for expansion, build a new pit or shut down their operation for a year. At that time, they will need to come into compliance. There will not be new fees other than the annual inspection by a registered, Maine licensed engineer.

Chair Foley concluded by saying the Planning Board is not here to hinder or close pit operations but to protect the long-term best interests of the town's environment.

There will be a regular meeting on Tuesday, February 20th, to vote on the final version of the proposed article. A public hearing will be scheduled and then forwarded to the Selectboard for them to hold their required public hearing to go forward as Referendum questions at the Town Meeting. Chair Foley said that if the gravel extraction pit owners did not want to show up tonight, they can submit written comments until February 19<sup>th</sup>.

Chair Foley said that the pit owners probably wanted to wait until Mr. Murray returned on February 26, but that will be too late for the Planning Board to get their recommendations voted and allow time to hold the Public Hearing.

Chair Foley opened the meeting to the Board members and the public. Bonnie Lord came to the podium and stated she wants her comments considered. She began by saying a town next to Limington has annual inspections and that town indicated it goes very well and there is no pushback from the pit owners. There is an annual review by an engineer and a report is written to the town regarding this review. The annual renewal inspection is \$750 for a big pit and a smaller pit is \$500 per year.

Mary Lawrence, Cape Road, came forward and she referred to section 12.I.3.B.2 M – buffers. Some language has been removed and she wants language added back in: It is as follows: There shall be one hundred (100) foot buffer strips from roads and fifty (50) foot buffer strip from a property line. Chair Foley asked that she submit the request in writing.

Next, she referred to the second paragraph in the opening statement 12.I Extractive Industry. She asked the Board to review it as she felt it needed an explanation. Chair Foley asked the request to be submitted to the Board in writing.

Bonnie Lord came forward again and referred to 12.I.4 - Reclamation Plan and 12.I.3.C and asked for these sections to be reviewed. She moved to 12.I.5.B - Performance Standards. . . and she read from the DEP guidelines. Bonnie will provide exact language.

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She moved to 12.I.5.M – Setbacks. Bonnie Lord wanted these setbacks increased because other towns have stricter setbacks. She will provide written language. Next, she spoke about 12.I.5.N, and asked what is the significance of the 1,320 gallons?

Bonnie Lord and Mary Lawrence concluded by promising to have their comments written and submitted to the Board before 2/20/24.

Tammy Ramsdell, Selectperson, came to the podium and thanked the Board for the work they have done and assured the members of the Board she was here to help the Board in any way she could.

Chair Foley closed the workshop and moved back to the regular session to discuss the next meeting on February 20<sup>th</sup>. She said David Taylor has asked to be on the agenda on February 20<sup>th</sup>. She also said the Board needed to review the language drafted by Lee J. Feldman regarding LD 2003 and changing the 25 ft. height requirement in the Shoreland Zone to 35 ft. It was decided to begin that meeting at 6:30 p.m.

Chair Foley moved to the Glanville application and asked if anyone had any questions about the approval. Darryl expressed concern about the location of the new septic tank. Chair Foley asked that the new language be worded as “a new septic design showing the exact location will be shown on the plan”. The new design must be in compliance with “all DEP requirements”.

**Minutes of 12/18/23 and January 22, 2024**

Minutes of 12/18/23, Victoria’s last name was spelled incorrectly and Grace Davis was in attendance. Darryl Hubbard made a motion to approve the minutes with the corrections noted. Grace Davis seconded. All in favor and motion carried.

On the Minutes of January 22, 2024, remove second family dwelling and discussed the 600 and 800 sq. ft. and change neither, or to neither, nor.

Darryl Hubbard made a motion to approve the minutes with corrections as stated above and Victoria Kundishora seconded. All in favor and motion carried.

The Meeting adjourned at 8:45p.m.

These minutes were transcribed by Donna Sawyer, Secretary to the Planning Board.