

LIMERICK PLANNING BOARD MINUTES – approved 3/1/23

January 4, 2023

Aaron opened the meeting with the flag salute at 7:00 pm. Aaron, Jason, Demetria, and Wendy were present, Greg was absent

PUBLIC HEARING

Aaron opened the public hearing at 7:03 PM for Shawn and Dennis Girard DBA CIA Salvage Inc. Rte. 5 at 366 Sokokis Trail North, Limerick for a salvage yard and used car lot conditional use.

Aaron asked Shawn to give an overview of his business and he and his attorney Brad Moring went through some questions asked by his attorney. Attorney Morin asked how long had they been in business and Shawn stated about 30-years 1976. When do you apply for your conditional use, Shawn said every 2 years. Have there been any changes recently, Shawn said we have quarterly inspections from an engineering company they monitor stormwater every 30 days on the 15th and do water tests. Attorney Morin asked if they have done anything to shelter their neighbors from the operation and Shawn stated yes fences, ditches, berms, and trees. Attorney Morin asked if the fire department has done any inspections and Shawn said yes they have been there twice and did an inspection a letter with recommendation is in the file also Steve came out to check if the fire extinguishers were updated and the emergency lights at the top of the stairs was there. Attorney Morin asked about the recommendations and Shawn stated everything is done. The attorney asked about hours of operation and Shawn said no change Monday through Friday (could not hear) am to 2 on Saturday no hours of Sunday. Attorney Morin asked you also had engineers work for you, Shawn said yes we had a retention pond put in last year that takes care of all stormwater it is monitored every 3- to 90 days. Attorney Morin asked have you had any environmental engineers, Shawn stated yes, every 30 days stormwater; the name of the company Shawn stated Stillwater; Shawn showed a map done by them that was dated 2-12-21.

Aaron asked if he could give me the hours you are currently running. Shawn said the trucks go in and out as they need to but the office is open 8 to 5 on Monday, 8 to 2 on Saturday.

Demetria asked if you say the trucks go in and out as they need to what hours in the day are they in and out. Shawn said they start at 5 o'clock, the trash truck is there at 2 o'clock in the morning, they are not loading or unloading anything he starts his trash truck, he goes to Searsport with it and leaves at 4:35 in the morning. Demetria asked if any hours at night and Shawn said he gets there at 11 at night and leaves at 2 in the morning.

Attorney Moring asked Shawn, so there is no processing operations going on then, Shawn stated no, Morin, just transporting, Shawn no transporting, he just starts the truck and drives out. Morin

and how often does DEP check up on you, Shawn said if someone calls or we need something, he was in town 2 weeks ago and there again today to do his report.

Attorney Morin asked if the board had the report and Stan Hackett code officer said he had an email from Eric Hamlin and Shawn should have the same email which Shawn said he did not get. Stan stated that he found nothing that he considered severe in the email he received.

Stan stated he would go over the whole thing and that the email said CIA was doing due diligence and there will always be things but nothing severe.

Aaron asked if Shawn had anything else and Shawn said they have been there for 30-years and they do more today to make sure that everything is environmentally done now than they used to do they have engineers, planners, we have yard workers, water testing and Shawn showed on the map the areas that water tests were taken.

Aaron asked if they have provided to code enforcement the quarterly water tests, he thought that was one of the board requirements and is in the testimony part of the minutes.

At this time Aaron stated he would like to hear from the public.

Merrill Farrand spoke and stated he was at the site walk and the biggest concern he has is the view of the property; he went on to read from the 2021 Maine Land Use Law page 126, Chapter 183 - SS3754 Limitations on graveyards, automobile recycling business and junkyard permits, this law has to do with a facility that are kept entirely screened from ordinary view from the highway at all times if within 1,000 feet of the highway., except:

- A. Those automobile graveyards or junkyards that are kept entirely screened from ordinary view from the highway at all times by natural objects, plantings or fences. Screening required by this paragraph must be from ordinary view:
 1. At a height, density and depth sufficient to accomplish complete screening from ordinary view;
 2. Well constructed and properly maintained at a minimum height of 6 feet;
 3. Placed outside of the highway right-of-way; and
 4. Acceptable to the municipal officers or county commissioners.

2. Limitations on new permits. A permit may not be granted for an automobile graveyard or junkyard established after October 3, 1973 and located within 100 feet of any highway.

Merrill went on to read the Limerick ordinance Article 7 Section G number 3 on buffering and went on to say that he viewed the property from the road going north and he could see a large storage building, fencing poorly maintained plastic and metal, used vehicles 3 rows deep in the area for used cars to be sold, the scales, a metal container various vehicles and the trees from about the area of the scales were mostly dead on the bottom. He went on to say that these things

need to be addressed and hearing some questions about the water test results he has asked for those in the past and he is also concerned about water. Mr. Ferrand's questions ended concerning the visibility of the facility from the road testimony.

Shawn did not agree with the issue of screening the facility and Attorney Morin spoke about the issue about groundwater and said that nothing has changed concerning this issue.

Aaron spoke about the facility having holes in the screening specifically only one row of trees and the trees having grown.

Shawn stated that He could plant more evergreen species in the spring if that was wanted.

Aaron asked if there was anyone else that wanted to comment and hearing none the public hearing was closed at 8:50 pm.

MINUTES:

December 7, 2022

Wendy motioned and Aaron seconded the motion to accept.

Vote 4-0 In Favor.

WALK-INS:

None

NEW BUSINESS:

None

OLD BUSINESS:

None

ADJOURNMENT:

Aaron motioned and Wendy seconded the motion to adjourn the meeting at 8:59 PM

Vote 4-0 In Favor

The next meeting will be January 18, 2023

Respectfully submitted:

Joanne L. Andrews

Planning Board Secretary