

about this dangerous, uncontrolled intersection at Hammond Street. He also expressed his concern regarding dust and noise from the operation of the quarry. He asked if the City had considered these issues.

Chairman Sturgeon indicated that the City Staff has reviewed this application in accordance with the City's guidelines.

Planning Officer Gould indicated that the City does not have any standards or guidelines relative to noise or affect upon adjacent property values. Regarding traffic, the proposed use is a very low traffic generator.

Mr. Clair Williams, 1405 Hammond Street Extension, noted how busy traffic is on Hammond Street in this area from 8:00 a.m. to 10 a.m. and asked if the roadway was going to be in the same place as the road into the water tower is. Mr. Gould noted that the truck traffic proposed in this application would be equivalent to 25 car trips which is very low and the roadway will be in the same place as the access road for the water tower.

No one else spoke from the audience and Chairman Sturgeon closed the Public Hearing.

Mr. Bolin made a motion to approve the Conditional Use/Site Development Plan for an 18.56-acre stone and aggregate quarry located at 1381 Hammond Street in an Urban Industry District for Queen City Mining, LLC. Mr. Boothby seconded the motion. The Board voted five in favor and none opposed.

Item No. 2: To amend the Land Development Code by changing a portion of a parcel of land located at 2630 Outer Broadway (Tax Map R11, 02C) from Rural Residence and Agricultural District to a Contract Urban Industry District. Said parcel containing approximately 5.3 acres. American Iron and Metal, LP, applicant. C.O. # 14-193.

Chip Haskell of CES, represented American Iron and Metal (AIM). He noted that the applicant was before the Board previously with a similar contract zone change request. In response to concerns of the Board, the applicant reapplied with a new Contract Zone Change request and is proposing a reduced area to be rezoned (which utilizes an existing brook as a boundary line) and a modified set of contract conditions. The modification of the contract zone change condition would allow a small fill extension of the wet pond.

Mr. Mallar asked why the applicant was only proposing a 50 foot buffer along the east side of the property and no buffer on the westerly side. Mr. Haskell indicated that there are railroad tracks on the westerly side. Mr. Mallar also asked about whether or not the applicant had received approval to construct the wet pond. Mr. Haskell indicated that they had received Minor Site Plan Revision approval.

Mr. Bolin noted that at the last meeting, the Planning Board had concerns about the proposed contract zone change request and indicated that they felt that the area requested to be changed was too great. The Board also had concerns about the scope of the proposed buffer and that this use not be expanded on the lot. He said that the applicant had made a good faith effort to address the Board's concerns.

Mr. Kenney said that he didn't feel any need to require an additional buffer along the railroad track.

Planning Officer Gould indicated that the differences from the previous application included the language addition in the second condition to add (existing impedance from the wet pond fill slope notwithstanding"), and the reduction in the area proposed to be rezoned. The current application uses an existing brook to define the proposed zoning boundary. Mr. Gould indicated that it was up to the Board to determine if this application was what the Board had envisioned.

There were no other proponents or opponents to the rezoning request. Chairman Sturgeon closed the Public Hearing.

Based on its consistency with the Comprehensive Plan and the other adjacent properties, Mr. Kenney made a motion to recommend approval of the proposed Contract Zone Change as contained in C.O. # 14-193. Mr. Boothby seconded the motion, which passed by a vote of four in favor and one opposed.

Item No. 3: Amending the Land Development Code, Chapter 165, Section 165-32 Quarries, mining and excavations to eliminate nonconforming quarries from residential areas. City of Bangor, applicant. C.O. #14-137.

Chairman Sturgeon indicated that this Public Hearing was opened and continued at the Board's previous meeting. Assistant City Solicitor Paul Nicklas reviewed the history of quarry regulations and the recent change from Rural Residence & Agricultural (RR&A) to Urban Industry District (UID). Mr. Nicklas noted the intent was to avoid the potential that some other party would step in and utilize the previously granted quarry permit.

Planning Officer Gould indicated that the typical zoning guidelines would allow a permitted quarry to operate until the end of its five year permit life. Given the concerns raised by adjacent neighbors, the City has altered the districts in which quarries can operate and have worked with Mr. Gardner to relocate his quarry operation to a new location in an industrial district.

Some Board Members questioned the need for such an amendment as Mr. Gardner has agreed to give up any quarry permits he holds in RR&A. From a policy perspective some

Board Members did not like altering the regulatory framework while someone has vested permits.

Mr. Gould noted that in the last 10 years it has become clear that rural farmland in Bangor is not unlimited. Residential subdivisions stretch out to the borders of Glenburn and Orono. While the ordinance change is a major shift in policy, over time it will prove to be the right decision for Bangor.

No one else from the audience spoke and Chairman Sturgeon closed the Public Hearing and asked for a motion.

Mr. Boothby moved to recommend approval of the zoning amendment to Chapter 165, Section 165-32 – Quarries, mining and excavations to eliminate nonconforming quarries from residential areas as contained in C.O. # 14-137 to the City Council. Mr. Kenney seconded the motion. The Board voted four in favor and one opposed.

APPROVAL OF MINUTES

Item No. 4: **Planning Board Approval of Minutes.**

Chairman Sturgeon noted that the Minutes of the May 20, 2014 Planning Board Meeting were in order for approval. Mr. Boothby moved to approve the Minutes of the May 20, 2014 Planning Board Meeting, as printed. Mr. Kenney seconded the motion, which carried by a vote of 5 to 0.

There being no further items for approval, the meeting was adjourned at 7:50 p.m.