

**Town of Alfred
Zoning Board of Appeals Minutes
September 28, 2020
6:00 p.m.**

Members Present: Dennis Brewster, John Caramihalis, Rick Carter, Ricky Hambleton, and Cynthia Swaney

Absent: Julie Gerrish and Bruce Norton

Others Present: Richard de Rochemont, Owens McCullough, P.E.; LEED A.P., Greg Knight, Water District Trustee, Kerry Smart, Water District Superintendent, Ricky Pershken, Dirigo Engineering Certified Geologist, Jim Allaire, CEO and Tammy Bellman

Chairman Brewster called the meeting to order at 6:00pm. A quorum is attained with the members present tonight.

New Business and Public Hearings

Election of Officer – Secretary – John Caramihalis nominated Julie Gerrish for Secretary with a second from Cynthia Swaney. The Board voted unanimously (5-0) for Julie Gerrish as Secretary.

Seth McCoy – Setback Variance Appeal – Hand-out – Mr. Allaire handed-out the Seth McCoy Variance Appeal Application. Mr. McCoy is looking to build a garage that requires approximately a 5-6 foot set back variance for one corner of the garage. Mr. Carter made the motion to postpone until such a date could be determined to discuss that application with second by Ms. Swaney. No further discussion. Vote: Yea – 4 and No – 1(Brewster). The room capacity was discussed and determined that the maximum number of participants that can be in the room at one time is 36; this includes the ZBA members. Mr. Caramihalis suggested that a letter be sent to the applicant with the number limitation. The meeting is set for Monday, October 26, 2020 at 6pm.

Old Business

York County Commissioners – Mr. Brewster provided a Recap - Application for a variance Appeal from York County Commissioners, property location: 149 Jordan Springs Road; Tax Map 3 Lot 52. Review variance for a garage on the old jail property. Introductions for all involved with the application were made. Mr. Brewster read the email he received from MDOT regarding the low salt usage signs before and after the County property; MDOT has no idea why those signs are posted. In the Alfred Water District Report of March 2, 2020 there is a letter delineating the lines for the Resource Protection Area from Kerry Smart. Maine Municipal Association Legal provided insight that the ZBA can do a variance for the impervious lot coverage and allow the building to be constructed. Mr. Pershken noted that the ZBA is not applying Article 160 §79; Mr. Pershken read the noted article. Mr. Caramihalis noted that Article 160 §160 and proceeded to read it all. Mr. Allaire shared that this is a conforming use per the Land Use Table 16.5. Rich de Rochemont provided a list of the vehicles that would be housed inside the proposed building. If the project is approved, the trucks will no longer be sitting on ground level possibly leaking vehicle contaminants into the ground and potentially the wellheads and or aquifer. There will be no hazardous materials stored in the vehicles nor the building. If the vehicle is used it will be washed prior to returning to the proposed building to remove any potentially hazardous materials. Mr. Smart inquired about the rehab of the test well. Mr. de

Rochemont explained that a company has been out to look at the well but will be back to clear the silt that has built up in the well. It was only 45 feet down when they hit the silt. After a brief discussion on the test wells and the other businesses in the area; that if the test well is rehabbed and functioning then the water tests would be able to determine if the contaminants were coming from the proposed building or the other area businesses. The County would be able to determine that there is no contaminants before the building and then monitor it after the building goes up and any additional testing that might be needed for early detection. Hydrocarbon testing was mentioned. The only fuel storage would be for the generators. The attempt would be to make the site as safe as possible using the knowledge available at this time. The run-off direction of building watershed is toward the rear of the property. Based on the zoning requirements - the County is in the least restrictive zone. The Zones were developed by the Planning Board. The gravel pit behind the building would filter any run-off of water from the proposed building. Rick de Rochemont introduced Owens McCullough to continue on behalf of the County. The common goal is to protect the water; the project designed is to do just that. Mr. McCullough reported that the situation when the vehicles were parked in the garage that they seek to build - any wash water or contaminate would be collected via floor drains and an internal drain trench and retained in an internal holding tank. We are in agreement to manage the system as it is required to be managed/emptied and inspected. The spec plan and training of employees with the list of chemicals is an on-going practice at the County; SPCC can be written up but the County does not have nor does it plan on storing any hazardous chemicals within or outside the proposed building. There is no elevation on the property as it is flat. So the underdrain filter would not only require a lot of fill to be brought but it is not cost effective for the size of this project. The metal buffer will eliminate the phosphorus but not the nitrates. If there should be a spill then the liquids would drain into the holding tank. If the pond were to be used would need to purchase more property. The County is attempting due diligence for the water with getting the vehicles inside as opposed to remaining outside. The CEO would need to be involved going forward - require test results and inspections on a regular basis. Not able to predict for every single scenario but can account for most. The engineers were asked if they would be willing to work together to come up with a mutually agreeable solution? Mr. McCullough - yes. Mr. Pershken - No in that he believed that he could not deviate from the recommendations that he made. Mr. Caramihalis made the motion that we would accept the variance change on condition that Dirigo Engineering agrees to the design of what is going to be designed with this building and the CEO including 1. Spill containment; 2. Trench drain containment; 3. SPCC control with employee training and 4. Stormwater run-off treatment employing filters lined with impermeable liners whereby the discharge would then travel through a pipe to a plunge pool and a stable outlet. Ms. Swaney seconded the motion. Discussion: Mr. Carter feels the CEO becomes the referee. It says in engineering plan enforces how designed; concerns me that come to a common ground do not have another watershed - containment by someone else and still be reasonable to the applicant. Mr. McCullough this motion is reasonable for three out of four - no questions but the fourth - and Mr. Pershken not wanting to work with the County. There would be a substantial increase in the cost and time. Vote: Yea - 4; No - 0 with Abstain - 1 (Carter).

Minutes

February 24, 2020 - Ms. Swaney made the motion to approve the February 24, 2020 minutes as presented with second by Mr. Brewster. Vote - 5 - 0.

Correspondence

None.

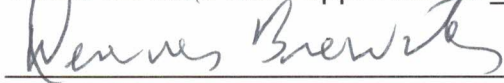
Miscellaneous

None.

Adjournment

Mr. Caramihalis made the motion to adjourn the meeting at 7:35pm with second by Mr. Brewster and all 5 members in attendance voted in favor of the motion. The meeting was adjourned.

These minutes were approved on September 28, 2020



Dennis Brewster, Chairman