

**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

**Town of Gorham  
Planning Board Meeting  
October 4, 2021**

**ITEM 3** – Site Plan Amendment: Grondin Aggregates, LLC – Brandy Brook Quarry – a request for site plan review and approval of a winter salt storage shed and stump and brush processing at 57 Ossipee Trail. Zoned Rural (R), Suburban Residential (SR), Urban Residential (UR), Map 42, Lot 5. The applicant is Larry Grondin and he is representing himself.

**INDEX OF PACKET ENCLOSURES**

<b>DESCRIPTION</b>	<b>PAGE NUMBER</b>
<b>1. Overview</b>	<b>2</b>
<b>2. Items of Note</b>	<b>2</b>
<b>Aerial Photos</b>	<b>3-5</b>
<b>3. Staff Review</b>	<b>6-8</b>
<b>4. Findings of Fact, Conditions of Approval and Motions</b>	<b>9-14</b>

**PROJECT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
<b>Pre-application Discussion</b>		
<b>Site Plan Review</b>		<b>December 7, 2020</b>
<b>Site Plan Review</b>		<b>October 4, 2021</b>

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and are not necessarily inclusive of all project requirements. Staff notes contain review comments and recommendations from Town Staff and may include comments from any of the Town’s peer review consultants, regarding applicability to the Gorham Land Use and Development Code and standard engineering practices.

The Planning Board refers to staff notes during the review process; however, it shall be noted that staff recommendations are noncommittal and all final decisions are those of the Planning Board and not Town Staff.

*Molly Butler Bailey, Chair, Gorham Planning Board*

**PLACE MAP AND LOT NUMBER IN 1/4” HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.**

# Grondin Aggregates – Brandy Brook Quarry M 42, L5 Site Plan Amendment

---

## 1. OVERVIEW

This is the second time the item has come before the Planning Board with a submission for this site plan amendment review.

Chapter 2 General Standards of Performance Section 2-1 C Mineral Exploration, Excavation and Gravel Pits 3) Existing Pit Registration... b) Expansion of Existing Operations (2) Plan Review (a) require that expansion be subject to site plan approval standards of Section 4-9 (B, C, D, F, J, M, P and T) of Chapter 4.

## 2. ITEMS OF NOTE

- A. The project is to be reviewed utilizing the site plan review standards as well as the reclamation standards.
- B. Town staff has had multiple conversations with the applicant since the meeting in December 2020 to request and review additional material required by the town for compliance with previous approvals.
- C. Staff has included an aerial photographs for the Planning Board's review of the project. The aerial photograph is from Google Earth and is a series since the 1998 approved plan. There have been at least three amendments since that original blasting permit approval. They are:
  - 1998 to allow blasting; 10 acre open quarry at any one time; required each phase be reviewed and approved prior to next phase beginning; clean fill only
  - March 2002 to add truck scales & scale house
  - July 2002 to reduce the buffer in the northwest corner
  - April 2004 to allow 36 blasts and abutter notification change

# Grondin Aggregates – Brandy Brook Quarry M 42, L5 Site Plan Amendment



Approximately 5 acres



**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**



Approximately 8 acres



Approximately 13 acres



**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**



Approximately 13 acres



Approximately 17 acres

**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

---

**3. STAFF REVIEWS**

**Assessing Department:** No comments

**Code Department:** No comments

**Fire Department:** October 23, 2020

I have reviewed this project and have no requests.

I do have a concern that when I go up RT25 most of the time the road is clean, but sometimes it has a lot of debris from overloaded trucks.

**Planning Department:**

October 8, 2020

- Zoning = Rural, Suburban Residential, Urban Residential
- Plan needs to be sealed.
- Possible review under Mineral Exploration as well as Site Plan ordinances.
- Application is incomplete as of October 8, 2020: needs erosion control, building plans showing front elevation, schedule of construction, stormwater management plan.
- Tentative PB date of 12/2020, if additional material is submitted by Nov. 3, 2020.

09/27/2021

- A reclamation plan should be submitted for review that complies with Chapter 2 Section 2-1. C. 6.
- The applicant has submitted a letter dated September 23, 2021 addressing reclamation. The letter provides a summary and progress of the reclamation that has occurred in the past year as well as what will be completed over the next five years. The slope is 3:1 in the area that was reclaimed. The slope will be seeded with grass in the next month. Erosion and sedimentation control is proposed as associated with the quarry itself as well as the requested uses. The timeframe for full reclamation is five years

**Police Department:** No comments

**Public Works Department:** September 23, 2020

I wanted to provide my stormwater/erosion comments for the Brandy Brook Quarry Amended Site Plan:

- 1) There has been a history of sediment tracking onto Route 25 from the quarry entrance/exit. A crushed stone entrance must be maintained at all times to prevent any sediment, wood chips/mulch, or salt from leaving the site.
- 2) Due to upgradient proximity of the proposed salt shed to Brandy Brook (a distance of -100 feet) a containment area should be created to prevent any migration around the shed and stump

## **Grondin Aggregates – Brandy Brook Quarry M 42, L5 Site Plan Amendment**

---

grinding operations. Even though this material will be housed in a building(s), hauling in or out is still a concern.

Sediment migration and erosion has already been observed at the Brandy Brook culvert crossing with Route 25. Since this location falls along the edge of the MS4 Urbanized zone, special attention needs to be paid to the nearby drainage areas.

Matt LaCroix, Stormwater Compliance Officer

**Woodard & Curran:** December 1, 2020

Woodard & Curran has reviewed the Site Plan Amendment Application for the Brandy Brook Quarry located at 57 Ossipee Trail East, in Gorham, Maine. We have reviewed the project for compliance with the applicable Town of Gorham Land Use and Development Codes and General Engineering practices. The proposed amendment will consist of a winter salt storage shed and a stump and brush processing area. The following documents were reviewed:

- Gravel Pit Amendment Application and attachments, dated September 21, 2020, prepared by Larry Grondin.

Engineering Plans, Sheets 1-2, dated January 2020, prepared by Sebago Technics on behalf of Grondin Aggregates, LLC.

We provide the following comments:

### **Chapter 4 – Site Plan Review**

#### **Section 4-8 – Procedures for Major Developments**

The Applicant has provided an amended Erosion and Sediment Control Plan narrative. This narrative does not include provisions for stabilization and revegetation of regraded areas associated with the salt storage shed. Please provide requirements for timely stabilization in the “Road Salt Storage Area” section of this document, or amend previous sections to reference the road salt storage area in addition to the mineral extraction area.

Please provide a stormwater drainage and erosion control plan sheet showing proposed erosion and sediment controls to be employed during construction, as well as erosion and sediment control notes consistent with the requirements of the Maine DEP Erosion and Sediment Control BMP Manual.

The Applicant should provide engineering calculations demonstrating post-development peak runoff rates do not exceed pre-development rates during the 25-year 24-hour storm event, per the requirements of Section 4.9 C(8)(d). If post-development peak runoff rates exceed pre-development runoff rates, the Applicant should provide onsite stormwater detention or written easements from the abutting property owners receiving increased stormwater discharge from the Site.

Please contact our office if you have any questions.



## **Grondin Aggregates – Brandy Brook Quarry M 42, L5 Site Plan Amendment**

**Wright-Pierce:** September 27, 2021

Wright-Pierce has reviewed the updated Site Plan Application dated September 2021 for the development of the Brandy Brook Quarry. The proposed project is located at 57 Ossipee Trail East in the Town of Gorham. The proposed project includes amendments to an active quarry at Map 42, Lot 5. Wright-Pierce has reviewed this Project's conformance with the Town of Gorham's Site Plan Review requirements. Wright-Pierce has not reviewed Land Use criteria, Exterior Lighting, Landscaping, Traffic or for conformance with Masterplans.

### **DOCUMENTS REVIEWED BY WRIGHT-PIERCE:**

- Reclamation Narrative, Site Plan Amendment: Dated September 23, 2021.
- Site Runoff Analysis Memorandum, dated September 24, 2021.
- Woodard & Curran Reviewer Comments Memorandum, dated May 28, 2021.
- Responses to Woodard & Curran Memo dated May 28, 2021; Dated September 8, 2021.
- Project Plans, Sheet 1 and 2, Overall Site Plan; Dated 5/4/2020

### **COMMENTS:**

Open Quarry Area: Town staff to provide comment on allowed total open quarry area and stockpile area, and what the allowable timeline for quarry reclamation is.

Stormwater Infrastructure: Applicant has provided a statement indicating the stormwater routing and infrastructure modifications are "meeting the intent" of prior approved plans. Please provide a hydraulic and hydrologic comparison of the constructed condition to the originally approved plans to show these modifications meet applicable Town code.

### **Stormwater Treatment:**

Applicant has provided information comparing pre-development runoff rates to post-development runoff rates for regulated interval storms. We have the following comments:

- Many of the critical variables used to determine surface runoff rates were unable to be reviewed based on information provided. Please provide source data for land use cover verification, soils information, rainfall data, and a discussion regarding time of concentration determination.
- Information has been submitted indicating post-development surface runoff rates exceed pre-development runoff rates for one of the project study points. While it is appreciated the runoff rate to the southwest is not being increased in the developed condition, the Town Code Section 4.9 F requires each boundary location to have no increase in surface runoff rate. Please indicate how this requirement will be met.
- Please also provide a statement confirming the volume of water to abutting properties is not increased in the developed condition. The standard noted in the Town requirement further states "Discharge of additional storm water caused by the development onto adjacent properties will be prohibited unless written easements are obtained from the owners of such adjacent properties."



**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

---

**PLANNING BOARD  
SITE PLAN REVIEW  
AND FINDINGS OF FACT**

**For  
Grondin Aggregates – Brandy Brook Quarry**

**October 4, 2021**

Applicant/ Property Owner: The applicant/property owner is Grondin Aggregates, LLC, 57 Ossipee Trail, Gorham, Maine 04038.

Property: The lot is identified as Tax Map 42, Lot 5.

Consultants: Shawn Frank, P.E., # 6396, with Sebago Technics.

Project Description: The applicant is proposing a 42 ft. x 60 ft. winter salt storage shed and stump and brush processing. There is a proposed 300 ft. buffer to the northeast along Cressey Road and a 200 ft. buffer to the east along the property line with abutters.

Site Description: The lot is 72 acres in size with an existing quarry operation. There is some vegetation on the lot which is a mix of coniferous trees and shrub type brush.

Applicability: Site Plan regulations identify the Planning Board as having review and approval authority.

Zoning: Rural (R) – mineral extraction is an allowed use, Suburban Residential (SR) - mineral extraction is an allowed use by special exception, Urban Residential (UR) District – mineral extraction is not an allowed use; however, Chapter 1 Section 1-1 D 5) allows “encroachment” of a use in an abutting zoning district into this one by 50 feet.

Variances: None required.

Waivers: None requested.

Pursuant to the Application:

Major Site Plan Reviews were held on December 7, 2020 and October 4, 2021.

The projects and plans and other documents considered to be a part of the approval by the Planning Board in this ruling consist of the following:

Sebago Technic’s Plans consist of the following:

**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

Sheet 1 –2<sup>nd</sup> Amended Site Plan of Quarry Operation – 05/04/2021  
Sheet 2 – Proposed Salt Storage Plan of Quarry Operation –  
Sheet 1 of 2 – Overall Site Plan – 05/04/2021; 09/01/21  
Sheet 2 of 2 – Site Plan – 05/04/2021; 09/01/21

Other documents submitted consist of the following:

Application - 10/06/20; revised 10/06/20  
Plans – 10/06/20;  
Salt Storage Area Operations and Maintenance Plan – 10/15/20  
Erosion and Sediment Control Plan – 10/15/20  
Stormwater Management Report – 10/15/20  
Construction Schedule – 10/15/20  
Proposed shed elevation - 10/15/20  
DEP, Enid Mitnick, Environmental Specialist III – approval letter for salt storage shed and area – 10/06/20  
DEP, Paula M. Clark, Director, Division of Materials Management – Permit-By-Rule Wood Waste Processing Facility approval letter – 10/06/20  
Gorham Town Planner Comments – October 8, 2020  
Gorham Assessor Comments – No comments  
Gorham Fire Chief Comments – October 23, 2020  
Gorham Public Works Director Comments – September 23, 2020  
Gorham Code Enforcement Officer – No comments  
Woodard & Curran – December 1, 2020  
Wright-Pierce – September 27, 2021  
Abutter Comments- Guy McChesney, 11/30/20, 12/16/20 (uploaded to drive); Aaron Frederick, 11/30/20 (uploaded to drive); Alton Benson, 12/3/20, 12/16/20, 12/18/20, 12/19/20, 4/5/21, 5/17/21, 9/29/21 (uploaded to drive); Sara Hickey, 12/20/20 (uploaded to drive); Michael Clark, 12/31/20 (uploaded to drive); Katherine Benson, 12/07/20 (uploaded to drive); Gorham Property Owner, 03/10/21 (uploaded to drive); Pamela Benson, 12/3/20 (uploaded to drive); Margaret Young, 12/3/20 (uploaded to drive).



**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

---

**CHAPTER IV, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards**

The Planning Board, following review of the Site Plan Application Amendment, makes these findings based on the Site Plan Review criteria found in Chapter 4, Section 9 – Approval Criteria and Standards, of the Town of Gorham Land Use and Development Code.

CHAPTER 4, Section 9 – Approval Criteria and Standards

B. Access to the Site: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

Vehicular access to the site will be from the existing driveway off Ossipee Trail/Route 25.

No additional trips are expected from the addition of the salt shed or the stump grinding.

Finding: *Vehicular access to the site will be on roads which have adequate capacity to accommodate the traffic generated by this development.*

C. Access into the Site: Vehicular access into the development will provide for safe and convenient access.

Vehicular access to the site will be from the existing 26 foot gravel driveway with a paved entrance off Ossipee Trail/Route 25. The grade of the drive will be -2.0% for a minimum of five (5) feet from the existing pavement edge or to the centerline of the existing drainage swale.

Finding: *The vehicular access into the development will provide for safe and convenient access.*

D. Internal Vehicular Circulation: The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

The internal private drive provides a clear route for emergency vehicles around the salt shed and the rest of the site.

Finding: *The layout of the site provides for the safe movement of passenger, service, and emergency vehicles through the site.*

F. Storm water Management: Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

The peak rate of runoff from the site in the area of concern is reduced in the 2, 10, 25 year storm events. Calculations at the area of concern have determined that there has been a decrease in peak rates of runoff as compared to 1998 conditions.

Finding: *The site does not have adequate provisions for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.*

## **Grondin Aggregates – Brandy Brook Quarry M 42, L5 Site Plan Amendment**

---

J. Utilities: The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

The storage shed will not be served by electrical power, cable, and telephone.

*Finding: This development will not be provided with electrical and telephone service. Therefore, this section does not apply.*

M. Exterior Lighting: The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

The storage shed will not be served by electrical power.

*Finding: The proposed development will not provide exterior lighting. Therefore, this section does not apply.*

P. Landscaping: The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.

There are existing canopy trees and understory shrubs along the entire frontage at the entrance off Route 25/Ossipee Trail. There are existing canopy trees and understory surrounding the site and most of the quarry operation is not visible from any public road.

*Finding: The development plan provides for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.*

T. Noise: The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1 – Sound Level Limits and the associated ordinances.

The uses at the site are required to meet the A-weighted hourly equivalent sound level limits of 60 dBA daytime (7 a.m. - 7 p.m.) and 50 dBA nighttime (7 p.m. - 7 a.m.).

*Finding: The development shall comply with the A-weighted hourly equivalent sound level limits of 60 dBA daytime (7 a.m. – 7 p.m.) and 50 dBA nighttime (7 p.m. – 7 a.m.).*

### Chapter 2 Section 2-1 Environmental Subsection 6 Reclamation

The following provisions apply with respect to any existing pit in excess of five (5) acres, any gravel pit for which approval has been obtained for expansion under Subsection 3, or a new pit under Subsection 4. A reclamation plan must be submitted to the Planning Board, and the site shall be reclaimed in accordance with the requirements of this Section. The reclamation work shall be completed within nine months of the closing of a site (or a portion of a site with regard to phased reclamation plans) or approval of the reclamation plan, whichever occurs later. Reclamation of continuing operations shall be conducted in phases, if necessary, so that there is never open more



## **Grondin Aggregates – Brandy Brook Quarry M 42, L5 Site Plan Amendment**

than fifteen (15) acres of pit area or fifty percent (50%) of the pit area for pits less than fifteen (15) acres in size. Failure to remove more than four hundred (400) cubic yards of material from a pit within any 24 month period shall trigger the obligation of the pit operator to commence reclamation. The following requirements shall be met:

- a) Specific plans shall be established to avoid hazards from excessive slopes. Where an embankment remains after the completion of operations, it shall be at a slope no steeper than one (1) foot vertical to two (2) feet horizontal; provided, further that for an expanded pit area or new pit area which exceeds five (5) acres in size, the slope for such areas may not exceed 3:1. These slope requirements shall not apply to quarries that have been operated under a Notice of Intent pursuant to 39 M.R.S.A. Sec. 490-Y or under any other quarry permit, license or approval issued by the Maine Department of Environmental Protection, except for those portions of a quarry where extraction operations have occurred in any area where a buffer has been reduced under the provisions of Section 2-1(C)(5)(a) of this Chapter.
- b) Exposed slopes shall be stabilized so that no significant erosion will occur. Loaming, seeding and planting, if required, shall be based on guidelines of the Cumberland County Soil and Water Conservation District. Sufficient top soil shall be retained on site to complete the site reclamation. The reclamation plan for any quarry shall include specific provisions to ensure the stability of any exposed rock faces.
- c) Overburdened soil shall be redistributed over the pit area or removed from the parcel. The areas of the pit with solid or broken ledge rock shall be trimmed of loose rock, and the bottom of the pit graded to be compatible with the surroundings.
- d) Grading and restoration shall be completed in such a manner that it will ensure natural drainage, prevent standing water and minimize erosion and sedimentation and be compatible with the planned end use of the reclaimed site. The pit shall be contoured so that sediment is not directed into streams or drainage ways.
- e) Upon default of any obligations to reclaim a pit under this Section, the Town may, after written notice and an opportunity to be heard by the Board of Appeals, cause the pit operator's reclamation plan to be implemented pursuant to the performance guarantee.
- f) Reclaimed areas shall be guaranteed for a period of eighteen (18) months following the substantial completion of reclamation, during which time the performance guarantee shall remain in full force and effect. A reclamation plans shall state specific time requirements for commencement and substantial completion, which times may be staggered for phased extraction work.

The applicant has submitted a letter dated September 23, 2021 addressing reclamation. The letter provides a summary and progress of the reclamation that has occurred in the past year as well as what will be completed over the next five years. The slope is 3:1 in the area that was reclaimed. The slope will be seeded with grass in the next month. Erosion and sedimentation control is proposed as associated with the quarry itself as well as the requested uses. The timeframe for full reclamation is five years.

**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

---

Finding: Reclamation of continuing operations shall be conducted in phases, if necessary, so that there is never open more than fifteen (15) acres of pit area or fifty percent (50%) of the pit area for pits less than fifteen (15) acres in size. Specific plans have been established to avoid hazards from excessive slopes. Exposed slopes shall be stabilized so that no significant erosion will occur. Overburdened soil shall be redistributed over the pit area or removed from the parcel. Grading and restoration shall be completed in such a manner that it will ensure natural drainage, prevent standing water and minimize erosion and sedimentation and be compatible with the planned end use of the reclaimed site. The pit shall be contoured so that sediment is not directed into streams or drainage ways.

**Conditions of Approval**

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicant, and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Town Planner approve;
2. That all previous conditions of approval shall be adhered to;
3. That prior to the commencement of construction, the applicant, applicant's engineer and earthwork contractor shall have a pre-construction meeting with the Town's Engineer,
  1. Town Planner, Code Enforcement Officer, Public Works Director and Fire Chief;
  2. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
  3. That the site plan shall not be released for recording at the Cumberland County Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff; and the site plans is required to be recorded within one year of original approval or the approval becomes null and void; and
  4. That once the site plan has been recorded at the Cumberland County Registry of Deeds, a dated copy of the recorded site plan shall be returned to the Town Planner prior to a pre-construction meeting being held.



**Grondin Aggregates – Brandy Brook Quarry M 42, L5  
Site Plan Amendment**

**SUGGESTED MOTIONS:**

**TO POSTPONE APPROVAL:**

**Move to postpone further review of Grondin Aggregates, LLC request for major site plan approval for a salt storage shed and stump grinding operation pending responses to remaining issues (and revisions to the plans).**

**FINAL SITE PLAN APPROVAL:**

**Move to grant Grondin Aggregates, LLC request for major site plan approval for a salt storage shed and stump grinding operation located 57 Ossipee Trail on Map 42 Lot 5 in the Rural (R), Suburban Residential (SR), and Urban Residential (UR) zoning districts, based on the Findings of Fact as written by the Town Planner (and modified and conditioned by the Planning Board)**