

**NORRIDGEWOCK PLANNING BOARD MEETING  
MINUTES  
THURSDAY, FEBRUARY 25, 2021 6:00 PM  
ONLINE, VIA ZOOM**

Present: Josh Chartrand, Brian Aubry, Becky Ketchum, Margaret O'Connell, Charlotte Curtis.

Others Present: Richard LaBelle Town Manager, David Savage Code Enforcement Officer, Jeff McGown (Senior District Manager, Waste Management), Sherwood McKenney, PE (District Engineer, Waste Management), Sally Daggett Esq. (Jensen Baird Gardner & Henry, Representing Town), Robert Grillo, PE (CMA Engineers, Representing Town), Juliet Browne, Esq. (Verrill Dana, Representing Waste Management), Scott Luettich, PE (Geosyntec, Representing Waste Management), Taylor Abbott, Daren Turner, and Susan Giroux.

1. The meeting was called to order by Acting Chairman Ketchum at 6:00 PM who gave an overview of the project and introduced the Board members.

Sally Daggett Esq. gave an overview of the meeting process, the review criteria and a draft of responses suggested by her firm.

2. Continued Business:

Site Plan Review Application from Waste Management Proposed Landfill Expansion  
(Crossroads Landfill at Map 14, Lots 16, 16-1, 19, 20)

- i. Deliberations and Action on Application:

The Board voted on each article of the Review individually.

Findings of Fact:

1. The Norridgewock Planning Board voted that the Application was complete on January 11, 2021: Ketchum moved that the Application is complete, Curtis seconded. Roll call vote by Secretary Curtis: Ketchum Chartrand, Aubry, O'Connell, Curtis in favor.
2. Ketchum moved that the Applicant has conformed to all applicable provisions of this Ordinance, Chartrand seconded. Roll call vote: Ketchum, Chartrand, Aubry, O'Connell, Curtis all in favor.
3. Ketchum moved that the proposed activity will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that an unsound or unhealthy condition results as per the DEP's Erosion and Sediment Control Manual, in force at the time of the permits approval, Chartrand seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.
4. Ketchum moved that the activity will not have an adverse impact on wetlands, Chartrand seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

5. Ketchum moved that the proposed activity will not have an adverse impact upon any waterbody such as lake, pond, river or stream, Chartrand seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.
6. Ketchum moved that the proposed activity will provide adequate stormwater management, Chartrand seconded. Roll call vote: Ketchum Aubry, Chartrand, Curtis in favor, O'Connell opposed.
7. Chartrand moved that the proposed activity will provide for adequate sewer disposal, Ketchum seconded. Roll call vote: Ketchum, Chartrand, Aubry, Curtis in favor, O'Connell opposed.
8. Chartrand moved that the proposed activity will not adversely impact flood plain areas and will conform to the applicable requirements of the Town of Norridgewock Floodplain Management Ordinance, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.
9. Chartrand moved that the proposed activity will not result in air or water pollution, Aubry seconded. Roll call vote: Ketchum, Chartrand, Aubry, Curtis in favor, O'Connell opposed.
10. Chartrand moved that the proposed activity has sufficient water available for the current and foreseeable needs of the development, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.
11. Chartrand moved that the proposed activity will not, alone or in conjunction with existing activities affect the quality or quantity of groundwater, Ketchum seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.  
Ketchum: How is well testing to be addressed? Sally Daggett Esq.: State Statutes requires. O'Connell: How will this be communicated to the residents? Sally Daggett Esq.: The Board will be discussing this in Contingencies.
12. Chartrand moved that the proposed activity will dispose of all solid waste in conformance with all local regulations and that the type and quantity of waste proposed to be sent to Town facilities will not exceed their capacity, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.
13. Chartrand moved that the proposed activity will not have a significant detrimental effect on adjacent land uses or other properties, which might be affected by waste, noise, glare, fumes, smoke, dust, odors or their effects, Aubry seconded. Roll call vote: Ketchum, Chartrand, Aubry, Curtis in favor, O'Connell opposed.
14. Chartrand moved that the proposed activity will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of existing or proposed highways or roads. Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

15. Chartrand moved that the proposed activity, to the maximum extent possible, will not have an adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the Town of Norridgewock, or rare or irreplaceable natural areas or any public rights for physical or visual access to the shoreland, Aubry seconded. Roll call vote: Aubry, Chartrand, Curtis in favor, Ketchum, O'Connell opposed.
16. Chartrand moved that the proposed activity conforms to all applicable requirements of the Town's Shoreland Zoning Ordinance and all other Ordinances, Aubry seconded. Roll call vote: Ketchum, Chartrand, Aubry, Curtis in favor, O'Connell opposed.
17. Chartrand moved that the proposed activity will not increase a great pond's phosphorus concentration, if the development is within the watershed of a great pond, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.
18. Chartrand moved that the Town has the capacity to provide fire and rescue services to the proposed development, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

Shoreland Zoning: Ketchum moved that the standards of the proposed project have been met, Chartrand seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

Conditions of Approval: 1. These approvals are dependent upon and limited to the proposals and plans contained in the site plans and shoreland zoning applications and supporting documents submitted and affirmed to by the Applicant, Waste Management. Any variation from the plans, proposals and supporting documents, except de minimus changes as determined by the Codes Enforcement Officer that do not affect approval standards, is subject to the review and approval of the Norridgewock Planning Board prior to implementation. 2. If the DEP, Army Corps of Engineers or other agency's conditions of approval modify the Waste Management submittal's described in Finding of Fact Number 13 above or in any way impact the Town's substantive review criteria, the Applicant must return to the Planning Board for review and approval of the amended plan. 3. No later than January 15 of each year during the life span of Phase 14, Waste Management shall provide the Town with an annual written report summarizing construction progress relating to Phase 14 and its five cells; prior year's operations; any proposed changes in operations for the upcoming year; any complaints from the public or other regulatory agencies about Waste Management's operations; and how many complaints have been resolved. At the Town's election, representatives of Waste Management (to include, at a minimum, the Senior District Manager and the District engineer) shall

attend a publicly noticed meeting of the Board of Selectmen once per calendar year during the lifespan of Phase 14 in order to review existing operations and any issues related thereto with the Board of Selectmen, but nothing herein shall preclude Waste Management and the Board of Selectmen from meeting more frequently than once per calendar year if the Board deems it necessary to do so. 4. The Site Plan approval shall expire and become null and void unless the substantial start of construction, as determined by the Code Enforcement Officer, begins within one (1) year from the date of approval.

Conditions of Approval Number 2 was discussed and amended from the original presentation and was amended as it now reads: Chartrand moved to approve the amended Condition of Approval 2, as read into the record by Sally Daggett Esq., Aubry seconded. Chartrand amended his motion to add "Waste Management" before submittals, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

Ketchum inquired regarding a proposed condition regarding odor. O'Connell agrees that odor remains a concern. The Planning Board has received the Odor Complaint Response Plan and Ketchum wants to ensure that this is a part of the approval. O'Connell asked that the record reflect that Waste Management did not have a formal written odor response plan in place prior to February 2021. This plan formalized the Applicant's best practices. Sally Daggett Esq. pointed out that the Odor Complaint Response Plan is specifically identified in the Finding of Fact Number 13. O'Connell commented on the plan received previously. She would propose that Waste Management have better transparency than just going to the Town Office; she asks that the complaints be posted online on a frequent basis, either by the Town or Waste Management.

O'Connell moved to amend Condition of Approval 3 that the transparency of reporting be on a bi-monthly basis and be posted on the Town website of complaints that come into Waste Management. The motion failed for lack of a second.

Chartrand moved to approve Conditions of Approval Numbers 1, 3, 4, Aubry seconded. Aubry, Chartrand, Curtis in favor, Ketchum, O'Connell opposed. Ketchum is opposed to the motion as it will not provide the Board with opportunities to discuss well water, odor, or other conditions that may be proposed. Chartrand stands behind his motion. O'Connell would like to continue the discussion on odor. Ketchum discusses that CMA offered a condition regarding odor that has not yet been discussed. This would require sludge pretreatment if odor persists beyond current levels.

Sally Daggett Esq. stated that if there is a desire to propose additional conditions of approval, that this is the point at which they would be submitted. Such proposals should be in motion form.

Ketchum inquired about and discussed well testing. Sally Daggett Esq. stated that State Law would require Waste Management to give notice to abutters of the facility (direct or within one mile) regarding rights under law. If a property owner wishes to have water tested (permitted on bi-annual basis), the request must be submitted to DEP. She does not believe this needs to be built into the conditions as it is already a requirement of State Law.

Ketchum stated that if the Odor Complaint Response Plan is in place, she does not believe that additional restrictions should be in place. The information is available, but does not believe that the frequency needs to be added. If Waste Management is providing access to the reports, then the information is readily available.

Senior District Manager McGown stated anyone can go to Waste Management and request to see the reports about odor complaints.

Chartrand moved that on February 25, 2021 the Norridgewock Planning Board met to deliberate on the Applications, to adopt these Findings of Fact and Conclusions as amended and to authorize The Acting Chairman to sign this written decision on behalf of the Planning Board after the amendments have been added, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

Decision: Chartrand moved that based on the Findings of Fact and Conclusions, the written Application; the supporting materials and information submitted, testimony and evidence submitted at the Planning Board meetings, the majority of the voted to grant the Site Plan and Shoreland Zoning approvals for the reasons set forth herein, subject to the Conditions of Approval, Aubry seconded. Roll call vote: Ketchum, Aubry, Chartrand, Curtis in favor, O'Connell opposed.

3. Discussion/Action on the Minutes of February 11, 2021: Ketchum moved to approve the minutes with the correction of various typographical errors corrected, Chartrand seconded. Roll call vote: Ketchum, Chartrand, Aubry, O'Connell, Curtis in favor.
4. There was no other business.
5. Acting Chairman Ketchum adjourned the meeting at 8:03 PM.