

**Town of Eliot
REGULAR PLANNING BOARD MEETING MINUTES**

**October 1, 2013
7:00 PM**

Present: Steve Beckert, Chair; Jeff Duncan, Vice Chair, Dennis Lentz, Larry Bouchard, Greg Whalen, and Melissa Magdziasz (alternate).

Absent: None.

Also present: Kate Pelletier, Planning Assistant.

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 - REVIEW AND APPROVE MINUTES AND INVOICES AS NEEDED

MOTION:

Jeff Duncan made the motion to approve the minutes of the April 2, 2013 regular Planning Board meeting, as written.

Larry Bouchard seconded the motion

Vote: 4-0, Chair concurs.

MOTION:

Jeff Duncan made the motion to approve the minutes of the April 16, 2013 regular Planning Board meeting, as written.

Larry Bouchard seconded the motion

Vote: 4-0, Chair concurs.

ITEM 5 - REVIEW OF "NOTICE OF DECISION" LETTERS, AS NEEDED

None.

ITEM 6 - PUBLIC APPLICATIONS OR PLANNING BOARD BUSINESS TO BE CONSIDERED

A. 10-Minute Public Input Session

Public input session opened.

Mary Fournier, 16 High Meadow Farm Ln. read Sec. 33-131 of the Town of Eliot Municipal Code of Ordinances as follows:

- a. *Within 30 days of the public hearing but no more than 75 days of its acceptance of a completed application and site plan, the planning board shall approve, modify and approve, or disapprove the site plan. The planning board shall specify in writing its reasons for any such modification or disapproval. If the planning board fails to take action within 75 days as specified above, the site plan shall be deemed disapproved.*
- b. *If the planning board disapproves a site plan, the developer may again initiate development review or appeal. The developer shall lose any rights for consideration before other applications and/or under any municipal policies or regulations changed since the developer first submitted the application. The*

RECEIVED
JUN 19 2014
BY Wendy Rawski
Clerk

developer has 30 days to appeal modification or disapproval of the site plan in accordance with the provisions of sections 45-6 through 45-8 and articles II through IV of chapter 45 of this Code.

- c. Before the planning board approves any site plan application, the board shall make written findings certifying compliance with this article and other policies, ordinances or statutes. In addition, the planning board may make other conditions for approval that will ensure such compliance and would mitigate any adverse effects on adjoining or neighboring properties, which might otherwise result from any proposed use.*

She stated that the most recent set of Planning Board meeting minutes posted on the Town's website were March 5th and noted her dissatisfaction with the delay in publishing the minutes as they serve as Planning Board decisions.

Public Input Session closed.

- B. Application for Site Plan Review to construct a compressed natural gas production facility including a small office/electrical building, compressor and truck filling station, meter station and connection to the gas main at the rear of the property. Existing propane storage tanks will continue to be used and relocated onsite. Property is located at 525 H.L. Dow Highway. Applicant is XNG Maine, LLC (mailing address: c/o Sevee & Maher Engineers, 4 Blanchard Rd, Cumberland, ME 04021). Owner is NGL-NE (mailing address: One Memorial Square, Whitinsville, MA). Property can be identified as Map 53/Lot 8 and is located in the Commercial/Industrial zoning district. (PB13-13)**

Dan Diffin of Sevee & Maher Engineers, Inc. represented the applicant. He gave an overview of the project and site plan stating that a compressed natural gas facility is proposed on the 34 acre parcel at 525 Harold L. Dow Highway. XNG will connect to the existing Maritimes & Northeast pipeline and fill tractor-trailer trucks for the purpose of transporting gas to end users in the New England region. There is currently existing and operating on the property two propane gas storage tanks, which will remain unchanged. He stated the entrance to the site would be widened from 20' to 24' and that a letter from MeDOT had been provided indicating a new or amended entrance permit was not required for this project. The project will require a Natural Resource Protection Act (NRPA) Tier 3 Wetlands Alteration Permit through MeDEP, which is in process. He explained the measures that would be taken to protect habitat areas and is working with Inland Fish & Wildlife to on this aspect of the development. Along with the compressor and filling station, a 2040 sq. ft office/electrical building, two gas dryers, five compressors, buffer tanks, an expansion tank, a heat exchanger, transformer and four filling stations are proposed. He estimated traffic in and out of the facility, which will be operational 24 hours per day, would be approximately 1 truck an hour or 24 trucks per day.

Jeff Duncan asked if the gas was liquefied or pressurized.

Seth Berry, XNG Chief Administrative Officer, stated that the gas is just pressurized or "compressed". Producing liquefied gas is a much more involved, complicated process.

Larry Bouchard asked if any truck washing would be done onsite.

Dan Diffin explained this was a former practice on this site, however XNG will not be washing trucks onsite.

Larry Bouchard asked the applicant to discuss the noise produced at a facility like this.

Dan Diffin explained that the four onsite compressors would each have their own internal sound deadening mechanisms. The sound levels of the compressors are estimated to be 85 dbA at 10', but this level is reduced by distance to under the Town's sound pressure level limits.

Larry Bouchard asked if the noise was constant.

Seth Berry stated that the compressors only run when trucks are being filled and are by no means constant.

Jeff Duncan asked how long it takes to fill a truck.

Seth Berry stated that it depended on the ambient temperature but on average it takes about 1 ½ hours to fill a truck and there will be space to fill four trucks at once.

Dennis Lentz asked if XNG controls the scheduling of when these trucks are filled.

Seth Berry stated that XNG is responsible for all scheduling.

The Board agreed by consensus to require a noise study be provided by the applicant.

Greg Whalen asked if any improvements would be made to Route 236 to mitigate the additional truck traffic in and out of the facility.

Dan Diffin stated that MeDOT did not require any reconfiguration of the entrance or offsite improvements.

Jeff Duncan asked the applicant to explain the potential for explosions in the event of an accident.

Seth Berry stated that the trucks themselves are designed to withstand a crash at up to 66 miles per hour. The physical properties of natural gas do not allow it to explode.

Jeff Duncan asked how many employees there would be.

Seth Berry stated that there would be two employees during daytime hours and one employee for nighttime hours.

Steve Beckert asked the Board if they were ready to act on the waiver requested by the applicant. He explained they were seeking a waiver of the High Intensity Soils Survey (HISS) Section 33-127(12).

MOTION:

Dennis Lentz made the motion to waive Sec. 33-127(12) for a High Intensity Soils Survey.

Larry Bouchard seconded the motion.

Vote: 3-1 (Jeff Duncan opposed), Chair concurs with the majority.

Steve Beckert asked the Board if they were ready to accept the sketch plan as complete.

MOTION:

Jeff Duncan made the motion to accept the sketch plan.

Dennis Lentz seconded the motion.

Vote: 4-0, Chair concurs.

The Board scheduled the site walk for October 15, 2013 at 4:30 PM and continued review at the next regular meeting.

ITEM 7 - ACTION ITEM LIST

ITEM 8 – CORRESPONDENCE, OTHER AS NEEDED

ITEM 9 - SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board meeting was scheduled for October 15, 2013 at 7:00 PM.

ITEM 10 – ADJOURN

MOTION:

Dennis Lentz made the motion to adjourn at 8:05 PM.

Larry Bouchard seconded the motion.

Vote: 4-0, Chair concurs.



Stephen Beckert, Chairman
Date approved: 6-17-14

Respectfully submitted,



Kate Pelletier, Recording Secretary