

Town of Turner, Maine
Planning Board Minutes
August 20, 2025

1 **CALL TO ORDER**

Called to order at 6:00 pm by Mr. Eben Shaw, Vice Chair. Those Members present were, Eben Shaw, Scott Abbotts, Brent Fanjoy, Bill Bullard and Kelvin Youland. Those Absent, Shirley Twitchell and . Also Present, Ben Smith, Town Planner.

2. **VERIFICATION OF QUORUM**

Mr. Bullard stated that there were 4 Board Members in attendance which constitutes a Quorum.

3. **Approval of Planning Board Minutes July 16, 2025.**

Mr. Shaw made a motion to approve the minutes with correction on attendance and leaps and bounds in the minutes for July 16, 2025 and it was seconded by Mr. Abbotts (4 ayes).

4. **PUBLIC HEARING:**

Kids & Co Childcare, Expansion of existing childcare building, Tax Map 56, Lot 53

Mr. Travis Nadeau from Platz Associates gave an overview of the project. The applicant is looking to add a gymnasium to the building and storage and an office area. They have a landscape design for the building and is happy to answer any questions.

No Public Comment

Andy Valley Diesel Company, proposed diesel fuel stage facility, Tax Map 022 Lot 022.

The Applicant is proposing 4 double wall diesel storage units. There are no public wells or drinking storage that would be affected in the proposal.

No additional public comment.

5. **New Business**

Kids & Co Childcare, Expansion of existing childcare building, Tax Map 56, Lot 53

Mr. Nadeau spoke on behalf of the project. He apologized for the late submittal on the parking plan. He said because of a joint septic they had an issue with adding additional parking. They were able to add 3 more parking spots to. There is a field near the building that could be used. There will not be any additional spots for childcare opening and they will be keeping the same number of students in the building. He also touched base on the submittal of the financial capacity of the applicant from their bank. Mr. Nadeau also gave a rendering for the building proposed.

Mr. Shaw questioned with the waiver submitted for spaces for parking on how short they would be on parking. After review from the Board there are sufficient parking with 20 spaces and a waiver would not be needed.

Mr. Youland questioned the septic for the plan and the new septic information was provided for the additional bathrooms. The bathrooms that are being put in are for so that the kids will not need to leave the space that are in already. The applicant will be using the septic near the building that was designated for the Kids & Co building. There will be a new sign for the building but those have not been decided yet at this time. They are still working out the details on how they would like it to look. The sign by the road will stay the same but there will be a sign on the building.

Mr. Shaw stated that he checklist has the building on town sewer and watch but it is not on those and should be corrected on the checklist.

Mr. Shaw motioned to find the checklist complete pending the printing of the financial capacity letter and it was seconded by Mr. Fanjoy. (5 ayes)

Mr. Smith went over the Findings of Facts and Conclusion of Law with the Board. He reviewed the changes to state that the water and septic will be existing water and sewer and will not be on Town Sewer and water. There are 20 parking spaces for the property which is an increase from current parking. There will not be any additional traffic coming and going from the building.

Mr. Shaw motioned to accept the Finding of Fact and Conclusion of Law pending the changes discussed and it was seconded by Mr. Abbotts (5 ayes)

Andy Valley Diesel Company, proposed diesel fuel stage facility, Tax Map 022 Lot 022.

The Applicant reviewed the proposed plan with the Board. She requested for the entrance to be on Route 4 where Route 4 would be the safer entrance based on the line of site and lower street is often posted and it would not allow for the trucks to be able to be on the road during the months that the trucks are needed.

The Board looked at the waiver requests from the Applicant to allow the entrance to be moved to Route 4.

Mr. Abbotts made a motion to accept the waiver request to allow the entrance on Route 4 and it was seconded by Mr. Youland.

The Board discussed the waiver for no coverage over the tanks. Mr. Abbotts questioned if the applicant is pumping where the water will go.

They would use Pig pads to absorb the oil before pumping the water and they would pump the water to the ground.

Mr. Morris stated that he hauls to another facility in Auburn that has no overhead storage.

Mr. Youland stated that there use to be storage at the former Airport and there was never an issue there.

Mr. Shaw stated that he has concerns about additional waivers and the reasons for waivers. Mr. Abbotts gets the point of adjusting the entrance of facility because it makes sense. The question is on why they would allow for no overhead roof to be per the standard and why it should be approved. The reasoning was because of the cost of adding a roof over the storage facility.

A vote to approve a waiver for no overhead storage was denied (5 ayes)

The Board also reviewed the additional information needed for the project. The Applicant was missing the CEO letter but it was received.

The applicant was bearings and distance for the property. The Applicant did not provide those but does have the drawing based on the tax map for the boundary line for the property based on the Town of Turner Tax Map. The applicant will submit a written waiver based on the plan that was provided.

The applicant was missing the traffic data but has provided the information on the area on Route 4 and there was nothing that was submitted that would put this in a high traffic area and area of concern.

The Board requested additional storm water data and the applicant provided the same.

The Applicant was missing a engineer calculation for storm water. DEP did not require it for the project so it was not needed. The Board agreed it was not needed and it was deemed N/A.

The Board is waiting for the written waiver for #11 of the checklist and until that is received the Board will not be able to find the checklist complete. They will take this up at the next voting meeting on September 17th. The Board also reviewed the Findings of Fact and Conclusion of Law to make sure no other information would be needed on the site.

The Applicant will need to provide a lighting plan for the Board for the next meeting.

6. Old Business

None

7. Other Business

Quarry project, Upper Street, Mike Gotto

Mr. Bullard handed the meeting off to Mr. Shaw due to a Conflict of Interest and recused himself. Mr. Gotto gave some information on the project and waivers they may be needed and reasons why those would be needed and he wanted to get a sense on if some of these can get waived and they can get an idea on how much will need to be done for the application or if it can be handled like DEP handles these type of projects. Mr. Gotto stated that some of these waiver requests could have a condition that if they did run into some of the items they can come back to the Board when those unknowns do occur.

Mr. Gotto gave an overview of the DEP Standards and what he is hoping to see from the Town.

Mr. Shaw questioned DEP and the study of ground water and what would happen if they found ground water and if the operation would be shut down. If they hit water in the project from the quarry DEP will allow you to keep digging and will stay involved and do inspections and will tell you to start monitoring and ensuring that the mines are being dug property.

Mr. Gotto gave information on quarries that he has been involved in and how it was handled. A project was done in a Town that had ordinances like ours and he spent about 3 years fighting between DEP and the Town.

He also was involved with another project for a quarry and it was approved with no problems. Later on a variance was needed and the study was done.

The proposed area is not near any homes and is in between 2 farms and in the middle of the woods so there are some waivers that might make for sense to follow DEP guidelines. He would like to come to some terms on some of them or should they meet the entire ordinance.

Mr. Smith stated that a quarry is approved in the Town for this zone and there are some differences in the language and there are no specific standards for the quarry and it may need to fall under Sand and gravel pit standards and not minerals.

Mr. Gotto went through both the ordinances and filled out for 2 different projects based on what the ordinance states. Mr. Gotto would like the Board to look at the DEP standards for some of these waivers.

Mr. Abbotts stated that the Ordinance is looking at big project and there are no quarries at this time just gravel pits.

The Board agree that maybe looking at referring to some of the aspects and rules provided by the DEP. Mr. Fanjoy is not dead set against talking about some about some of the other regulations.

Mr. Abbotts stated that he would like the Applicant to look at what the impact at the State Park maybe.

Mr. Shaw stated that he just wants to make sure that the Board looks at the project knowing that the project will outlive the Board and what will it look like later on. Mr. Gotto stated that he is just asking the Board to look at what they may want and need.

Mr. Smith stated that he has looked at numerous projects and he has seen phased plans and the Board can look at those pieces in small sections. Mr. Smith stated that there are a lot of different ways the Board can look at this project. The proposed area is for 47 acres and they were hoping to be able to get it approved so they wouldn't need to go back to the Board. The Applicant would like to have it set for the next generation but they would also like to make sure the Board is ok with the project how they would like it. There are a lot of towns still operating on their Ordinances but DEP has helped fix some of those issues that the Town hasn't caught up on.

The applicant would like to know how they should proceed with the Application and if the project could be refer to the DEP Standards. Mr. Shaw stated that he believes that the DEP standards would be more stringent. He also questioned Mr. Smith if that would be something out of the norm for Towns. He stated that it is not uncommon for the Town to adopt a State Standard. There was a conversation to Noise Standard and the Towns vs. DEP standards.

Mr. Gotto stated that he would be able to put a possible rendering for what it could look like.

Mr. Shaw stated that he would like to look at information provided and the Applicant provide a difference between the Town and DEP so the Board and Applicant can look at the possible issues and

where the Board can come to an agreement that the proposed request is more applicable and better than the Town Ordinance.

Mr. Shaw stated that he would like to be able to go to the Town when he is questioned on why the Board was allowing this project to be approved and will be able to show and state that the Board looked at the Town Ordinance and the State guidelines and that the State Standard also meets the Towns Standard and it was reviewed properly.

Mr. Gotto questioned in the studies will need to be done prior to approval or when the issue occurs. The Board can review those situations before the next meeting.

8. REPORTS

None

9. PUBLIC COMMENTS

None

10. ADJOURNMENT

Mr. Abbotts made a motion for adjournment and it was seconded by Mr. Fanjoy the Board unanimously accepted. The meeting adjourned at 7:53 pm.

Respectfully submitted by, Megan L. Ricker, Secretary.