



Town of Casco

Planning Board Meeting Agenda

February 23, 2026 at 6:30 PM

Casco Community Center

First Order of Business

1. Call Meeting to Order
2. Determine a Quorum
3. Review and Approval of the Meeting Agenda
4. Public Participation for Non-Agenda Items

Old Business

5. None

Discussion

6. • Roads/Street Ordinance
• Leach Hill Subdivision Extension - Pete Watkins

New Business

7. Proposed Zoning Map & Text Amendment application for P&K Sand & Gravel-Heath Quarry: 90 Indian Acres Road, Casco Represented by Sebago Technics

Adjournment

Reminders to the Attending Public: Planning Board meetings are open to the public, but the public may not speak unless recognized by the Board Chair or Vice Chair in their absence. Except during a public hearing, comment time is limited to 2 minutes per speaker during public participation or on agenda items. Matters related to personnel will not be heard.

Future meeting dates (subject to change)

March 23, 2026, Regular Meeting



Town of Casco
Zoning Map and Text Amendment Application

Prepared for:
Zoning Map & Text Amendment Application
P&K Sand & Gravel – Heath Quarry
90 Indian Acres Road, Casco, ME 04015

Applicant:
CBJ Properties, Inc.
234 Casco Road, Naples, ME 04055

Prepared by:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

January 2026

250067-01

Zoning Map & Text Amendment Application P&K Sand & Gravel – Heath Quarry, Casco

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January 26, 2026
250067-01

John Wiesemann, *Code Enforcement Officer*
Doug Webster, *Contact Planner*
Town of Casco Planning Board
635 Meadow Rd., Casco ME 04015

RE: Proposed Zoning Map & Text Amendment Application
P&K Sand & Gravel – Heath Quarry: 90 Indian Acres Road, Casco

Dear Mr. Wiesemann, Mr. Webster, & Members of the Planning Board,

On behalf of Cory Mitchell, President of P&K Sand & Gravel, Sebago Technics, Inc. is pleased to submit this letter and attached application materials for a Zoning Map and Text Amendment application for the Heath Quarry property located at 90 Indian Acres Road in the Town of Casco. These efforts consist of the creation of a new overlay district, as well as introducing additional performance standards within the Town's Zoning Ordinance to bolster language around mineral extraction and processing activities.

Historical Context:

P&K Sand & Gravel has been a successful local business, with Heath Quarry being a productive part of Casco's landscape since 1997. The quarry included in our project has since operated under successive contract zoning agreements for nearly three (3) decades. Throughout this time, P&K has cooperated with neighboring properties, and operated without significant controversy. Each renewal period has demonstrated P&K's commitment to staying responsible for quarry operations and maintaining neighborly behavior.

Because P&K is subject to a renewal period of the contract zone every decade, this presents the business with the issue of uncertainty in future operations, as it remains reliant on the prevailing political climate. This means that regardless of track record, a single election cycle can change and present challenges within the renewal. Therefore, this proposed project aims to permanently rezone the property to the Commercial District to provide clarity, consistency, and certainty to P&K Sand & Gravel's future, as well as outlining a clear future with the Town of Casco. While the contract zoning mechanism has functioned adequately to date, there are several considerations that impact both the quarry's operations and the Town of Casco.

Proposed Zoning Map & Text Amendment:

Based upon our discussion at the December 2025 Planning Board meeting, we have modified our project to tailor a new Mineral Extraction Overlay District (MEO) zoning classification. Properties under this new zoning district are to consist of the existing P&K

Heath Quarry land, as well as two (2) adjacent parcels owned by Casco Timber Company. This overlay district establishes a zoning designation that accurately reflects the site's existing uses and operations, while maintaining respect for the underlying and adjacent residentially zoned properties.

Our proposed zoning text amendment language includes amendments to §215-4.1. of the Zoning Ordinance to recognize and establish the MEO as a zoning district, §215-4.12. to establish the MEO and associated space and bulk standards, and §215-5.18. to strengthen Casco's mineral extraction land use performance standards. For reference, specific language for our proposed text amendment is enclosed within this application binder, with added verbiage **bolded in blue** and language to be removed ~~stuck out in red~~.

Protection of Natural Resources:

As discussed at prior meetings, P&K remains committed to protecting natural resources and maintaining water quality. The proposed language adding additional performance standards aligns with the Maine Department of Environmental Protection (MDEP) statute, including appropriate setbacks around natural resources, private wells, buffering, noise, dust control, reclamation, and stormwater management. It is important to note that P&K currently meets or exceeds all MDEP standards. The proposed verbiage aims to codify responsible practices within Casco's ordinance to provide an outline of how P&K should operate in the future, and protect adjacent properties and natural resources.

The proposed amendments will not impede the Town's ability for regulatory oversight. If in the future the quarry wanted to introduce new or expanded operations, the current proposed language would require a site plan review by the Planning Board. Additionally, residents would be provided the opportunity to provide public comment and input for the Board's consideration.

Proposed Mapping Concepts:

Enclosed within this application binder are two (2) zoning map amendment concepts. The first concept (Concept 1) includes the placement of the MEO entirely over the quarry properties and the two adjacent Casco Timber Company parcels. This concept would still recognize the underlying Residential zone, but have the MEO placed over it. The second concept (Concept 2) is similar to Concept 1, except the MEO boundary line bisects the Casco Timber company parcels and is buffered off the residences along Route 11. In both cases, Hog Meadow Pond is included within the MEO. However, the proposed text amendment honors this critical natural resource, and allocates specific buffering that is stricter than the Town's Shoreland Zoning requirements.

Closing:

This proposed project offers a balanced solution to challenges that have accumulated over time. P&K Sand & Gravel is an existing and established business within Casco that continues to provide job opportunities, excellent service, and tax revenue for the Town. Through the creation of this overlay district, we strive to provide certainty to both this business and the

community, as well as strengthening Casco's ordinance to further protect adjacent properties and natural resources. Through this process, the Town can enable P&K to make sound, long-term strategic decisions to promote their investments and grow together.

We thank the Town and the Planning Board for the opportunity to discuss this project and for their consideration. Should you have any questions, please contact me by phone at (207) 482-6323 or by email at bwiemken@sebagotechnics.com. We look forward to collaborating with the Town of Casco throughout the duration of this project.

Sincerely,
SEBAGO TECHNICS, INC.



Brett Wiemken
Planning Consultant/Project Manager



James R. Seymour, PE
*Senior Project Manager
Lakes Regional Manager*

Cc. Cory Mitchell, *President (P&K Sand & Gravel, Inc.)*

Section 1

Application Form & Agent Authorization

**TOWN OF CASCO PLANNING BOARD
APPLICATION FORM**

APPLICANT:Name CBJ Properties, Inc. c/o Cory MitchellAddress 90 Indian Acres Road, Casco ME 04015Email cmitchell@pksandgravel.comTelephone Number - Home (207) 693-6765 - Cory Mitchell - Applicant/Owner

PLEASE PROVIDE AT Office

LEAST TWO NUMBERS Cell (207) 482-6323 - Brett Wiemken - Authorized AgentInterest in Property Owner, see deed enclosed within application materials.
(attach documentation)Interest in abutting property, if any None.**OWNER:**Name Same As ApplicantAddress 234 Casco Road, Naples ME 04055

**PLEASE CHECK THE ADDRESS TO WHICH THE TOWN SHOULD DIRECT ALL
CORRESPONDENCE.**

TYPE OF PROSPECTIVE ACTIVITY:

☐ Minor Subdivision Plan Review
☐ Major Subdivision Preliminary Plan Review
☐ Major Subdivision Final Plan Review
☐ Site Plan Review - List Type
☒ Other (specify) Zoning Map & Zoning Text Amendment Application

PROJECT ☐ Single Family ☐ Multiplex ☒ Other**LOCATION**Street Address 90 Indian Acres Road, Casco ME 04015Registry of Deeds Book 12280 Page 0327Assessor's Office Map 0009 Lot 0030-1**OTHER PROJECT INFORMATION**Size of Parcel (acres) 291.1 ac.

Is Zoning Board of Appeals Approval required? X No Yes

Does the applicant intend to request any waivers of Subdivision or Zoning Ordinance provisions? X No Yes.

If yes, list and give reasons why:

Please see enclosed cover letter and supporting application materials.

FEES:

The current schedule of Town fees is attached or available online.

Please note: If the Board requests consultation with the Town's lawyer, fees will be passed off to the applicant.

MAPS:

Digital Map Files need to be provided at the time of Planning Board approval. If available, digital map files including level of detail typically occurring on our tax maps (such as base line work, boundary dimensions, lot #'s, areas, road names, etc...).

DEP NOTIFICATION:

1. If land development over 20 acres or 5 lots or more, the request requires DEP review.
2. DEP approval must be obtained **PRIOR** to final Planning Board approval.

OTHER:

1. Any WETLAND must be reviewed by the Army Corps of Engineers.

ABUTTOR NOTIFICATION:

1. Applicant **MUST** notify all landowners within 500' of the property by CERTIFIED MAIL RETURN RECEIPT REQUESTED.
2. Landowners **MUST BE NOTIFIED AT LEAST 10 CALENDAR DAYS PRIOR TO SCHEDULED MEETING.**
3. the list of landowners with ALL RECEIPTS MUST BE TURNED IN TO THE PLANNING BOARD SECRETARY NO LATER THAN SEVEN (7) DAYS PRIOR TO THE DATE OF THE MEETING.

The undersigned, being the applicant, owner or legally authorized representative, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the Town, State, and Federal Government.

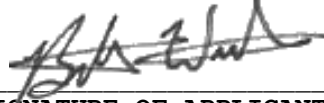
*** All materials to be considered by the Planning Board will be received no later than NOON on the due date for the specific Planning Board meeting. Any material or information received thereafter will not be heard by the Planning Board until a later meeting.**

PLEASE TAKE NOTE OF THE FOLLOWING PROVISION OF THE SUBDIVISION ORDINANCE:

§6.1.1 Within six (6) months of the Planning board's classification of the proposal as a Major Subdivision, the applicant shall submit an application for approval of a Preliminary Plan. The Preliminary Plan shall approximate the layout shown on the sketch plan plus any recommendations made by the Planning Board. Substantial redesign of the sketch plan or failure to meet the six (6) month deadline shall require resubmission of the sketch plan to the Planning Board.

01/26/2026

DATE



SIGNATURE OF APPLICANT/OWNER OR
REPRESENTATIVE

AGENT AUTHORIZATION

APPLICANT/ OWNER	Name	Cory Mitchell, President P&K Sand & Gravel		
PROPERTY DESCRIPTION	Physical Address	90 Indian Acres Road, Casco, Maine	Map	9
			Lot	30-1
APPLICANT'S AGENT INFORMATION	Name	Sebago Technics, Inc. c/o Brett Wiemken		
	Phone	(207) 482-6323	Business Name & Mailing Address	SEBAGO TECHNICS, INC 75 John Roberts Road, Suite 4A South Portland, ME 04106



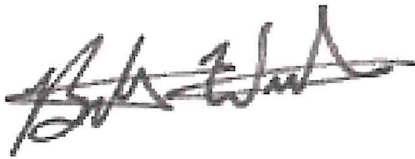
APPLICANT SIGNATURE

DATE

Cory Mitchell

11/20/2025

PLEASE TYPE OR PRINT NAME HERE



11/20/2025

APPLICANT'S AGENT SIGNATURE

DATE

Brett Wiemken

Planning Consultant, Sebago Technics, Inc.

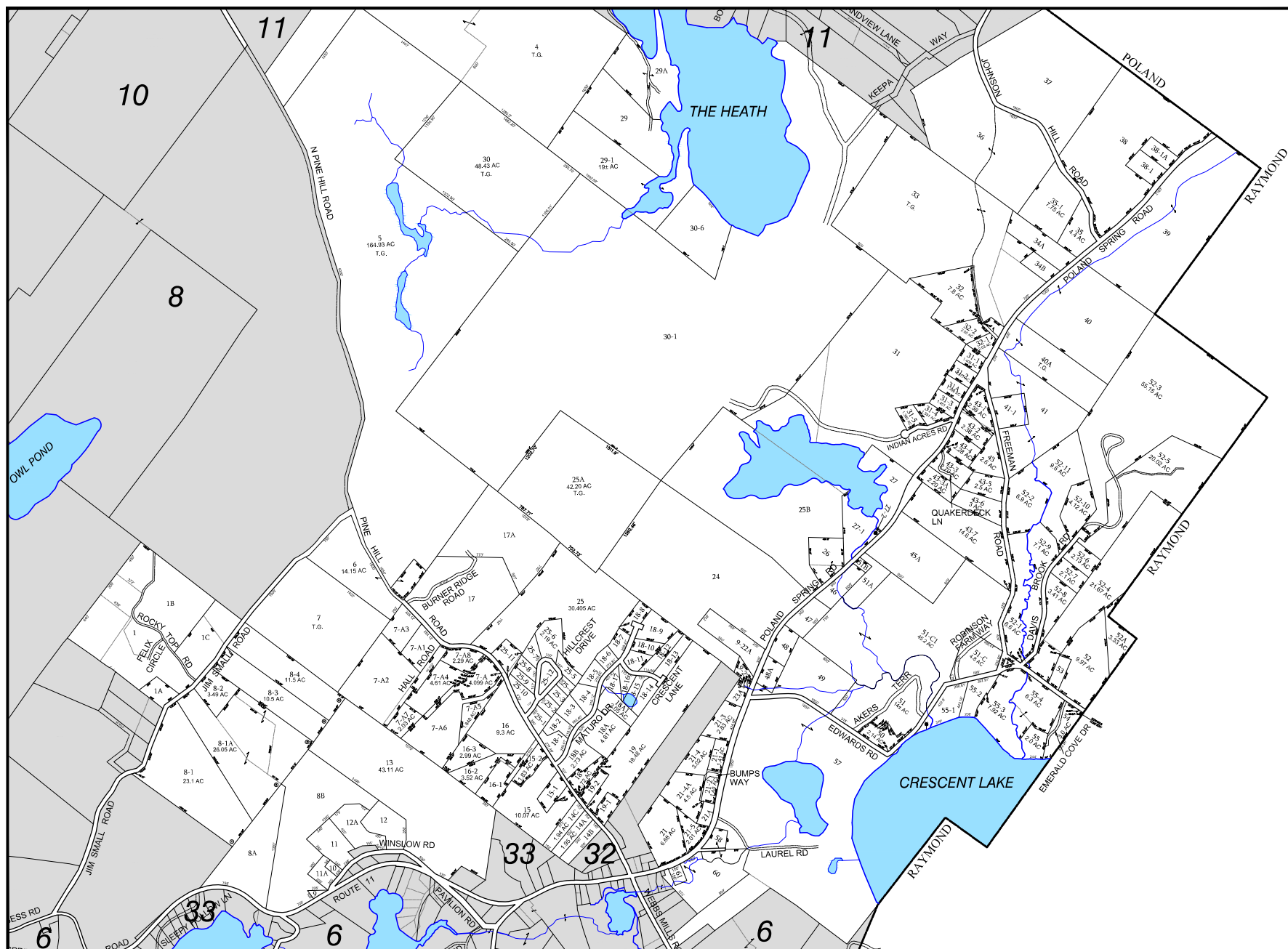
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Section 2

Tax Map & Abutter Information

Section 2 – Tax Map & Abutter Information

The project site is identified on the Town of Casco's Tax Map 009 as Lot 30-1. Enclosed within this Section is a copy of the Town of Casco's Tax Map 9, and list identifying all property owners that abut the subject parcel within 500 feet. Copies of the notice letter that was sent to abutters and certified mailing receipts confirming that the notices were received by the USPS will be provided to the Code Enforcement Department upon mailing.



PROPERTY MAP
CASCO
MAINE



MAP LEGEND

ABSTRACT MAP NO.	11	LOT DIMENSION	44' x 50'
PARCEL NUMBER	3-1	PROPERTY BOOKS	
SUBDIVISION LOT NO.	④	RIGHT OF WAY	
BOUQUIN	4	EASEMENT	

REVERSED TO APRIL 1, 2003
 FOR ASSESSMENT PURPOSES ONLY
 THIS MAP IS NOT INTENDED FOR THE PURPOSE
 OF PROPERTY CONVEYANCE OR LEGAL
 DESCRIPTION.

SCALE IN FEET

CAI Technologies
Precision Mapping. Geospatial Solutions

9

SUBJECT SITE

MAP-LOT	OWNER 1	OWNER 2	MAILING 1	MAILING 2	CITY	STATE	ZIP
9-30-1	CBJ PROPERTIES, INC		217 EDES FALLS ROAD		CASCO	ME	04055
9-25-A	CBJ PROPERTIES, INC		217 EDES FALLS ROAD		CASCO	ME	04015
9-25-B	CASCO TIMBER COMPANY, INC.		PO BOX 295		CASCO	ME	04015
9-31	CASCO TIMBER COMPANY, INC.		PO BOX 295		CASCO	ME	04015

500' ABUTTERS

MAP-LOT	OWNER 1	OWNER 2	MAILING 1	MAILING 2	CITY	STATE	ZIP
9-48	GOOGINS, CAMI-LEIH D		326 POLAND SPRING ROAD		CASCO	ME	04015
9-47	FLANAGIN PROPERTIES LLC		705 WEBBS MILLS ROAD		RAYMOND	ME	04071
9-46	FLANAGIN, MARK S		705 WEBBS MILLS ROAD		RAYMOND	ME	04071
9-51-C1	TAPLIN, JAMES G & AKERS, REBECCA J		PO BOX 330		GRAY	ME	04039
9-51-C	TAPLIN, JAMES G & AKERS, REBECCA J		PO BOX 330		GRAY	ME	04039
9-51-B	WALLINGFORD, JASON ARON		266 POLAND SPRING ROAD		CASCO	ME	04015
9-51-A	AKERS, CLIFFORD JR		96 EDWARDS ROAD		CASCO	ME	04015
9-25	MADURA, ADAM R & KAYLA M		29 KAYLAS WAY		CASCO	ME	04015
9-26	BARTLETT, CARRIE LYN		275 POLAND SPRING ROAD		CASCO	ME	04015
9-27-2	MALIER, JEFFREY		83 FALL RIDGE ROAD		WINDHAM	ME	04062
9-45-A	PEARSON-AKERS, PAMELA E		96 EDWARDS RD		CASCO	ME	4015
9-27-1	GEORGE J SLEEPER RE SLEEPER, GEORGE		299 ANDERSON ROAD		SEBAGO	ME	04029
9-17-A	BURNETT, RUSSELL	CARTER, DIANE	171 PINE HILL ROAD		CASCO	ME	04015
9-43-7	AKERS, CLIFFORD M JR		78 EDWARDS ROAD		CASCO	ME	04015
9-24	FLANAGIN, SIDNEY A		313 POLAND SPRING ROAD		CASCO	ME	04015
9-43-5	BOWIE, HANNAH E	LAVOIE, TYLER K	59 FREEMAN ROAD		CASCO	ME	04015
9-43-3A	WHITE DOG BUILDING, LLC		16 GIN MILL LANE		WINDHAM	ME	04062
9-43-3	CABLE, STEVEN		20 QUARTERDECK LANE		CASCO	ME	04015
9-27	SLEEPER, GEORGE J TT	GEORGE J SLEEPER	299 ANDERSON ROAD		SEBAGO	ME	04029
9-43	PATTERSON, EDWARD A SR & BELINDA J		41 FREEMAN ROAD		CASCO	ME	04015
9-43-4	HOSFORD, ELIZA H		4 QUARTERDECK LANE		CASCO	ME	04015
9-43-2	DUMAS, DAVID A		180 POLAND SPRING ROAD		CASCO	ME	04015
9-31-5	GILLIAM, STEVEN B	GILLIAM, THERESA	19 INDIAN ACRES ROAD		CASCO	ME	04015
9-31-4	POMELOW, ERIC M	SKELTON POMELOV	9 INDIAN ACRES ROAD		CASCO	ME	04015
9-31-3	CHRISTIAN, PEARL		179 POLAND SPRING ROAD		CASCO	ME	04015
9-43-1	JONES, JEFFREY T		27 FREEMAN ROAD		CASCO	ME	04015
9-31-A	PERFECT, JASON M		82 TRIPP LAKE CAMP ROAD		POLAND	ME	04274
9-31-2	SCOVILLE, JEFFREY		165 POLAND SPRING ROAD		CASCO	ME	04015
9-41	MARKET, TIMOTHY & SHIRLEY L		38 FREEMAN ROAD		CASCO	ME	04015
9-31-1	CORCORAN, TIMOTHY & SHARI E		159 POLAND SPRING ROAD		CASCO	ME	04015
9-40-A	VELA SANCHEZ, MIRIAM		51780 AVENIDA MADERO		LA QUINTA	CA	92253
9-32-2	YEATON, JAMES E II		10 UPTHA ROAD		CASCO	ME	04015
9-32-1	CORMIER, SHAYNA E	MCGEE, MATTHEW	8 UPTHA ROAD		CASCO	ME	04015
9-32	MAREAN, STEPHEN B	SMALL, BRIAN E	73 OVERLOOK ROAD		WINDHAM	ME	04062
9-30-6	ENGLAND, JOHN F		157 INDIAN ACRES ROAD		CASCO	ME	04015
9-29	JORDAN, KARIN & JASON		2 WALTERS WAY		EXETER	NH	03833
9-33	AMY LIPPMAN REV TRU LIPPMANN, AMY TTE		10 ABRAHAMSON ROAD		GRAY	ME	04039
9-29-1	ALTERMAN, GEOFFREY J		132 MARGINAL WAY 433		PORTLAND	ME	04101
11-29-1D	AYER, DONALD W III & ALLISON L		54 KEEPA WAY		CASCO	ME	04015
9-30	CASCO TIMBER COMPANY, INC		PO BOX 295		CASCO	ME	04015
11-29-1	WHITE, BRITTANY A & BENJAMIN J		44 KEEPA WAY		CASCO	ME	04015
9-36	PLUMMER, GRANT F & SALLY A		102 JOHNSON HILL ROAD		CASCO	ME	04015
8-55	CASCO TIMBER COMPANY, INC		PO BOX 295		CASCO	ME	04015
11-30-4	SHEEHAN, ERIK PATRICK & KENDRA B		6 6TH STREET		BARRINGTON	RI	02806
9-5	CASCO TIMBER COMPANY, INC		PO BOX 295		CASCO	ME	04015
11-29-1A	SHRIGLE REVOCABLE T HOWE, SHARON D		55 KEEPA WAY		CASCO	ME	04015
11-30-3	SOBCZAK, KRZYSTOK & LISA		619 BOLSTON STREET		NEWTON	MA	02459
9-4	CASCO TIMBER COMPANY, INC		PO BOX 295		CASCO	ME	04015
TOWN	TOWN OF CASCO		635 MEADOW ROAD		CASCO	ME	04015

Section 3

Right, Title, Or Interest

Section 3 – Right, Title, Or Interest

The applicant, CBJ Properties, Inc., is the current owner of the project site. The record owner of the property is the applicant, in accordance with the enclosed deed recorded at the Cumberland County Registry of Deeds in Book 12280, Page 327, on December 27, 1995.

Also included in this Section is a Certificate of Good Standing from the Maine Department of the Secretary of State for CBJ Properties, Inc., dated September 4, 2025.

67722

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That W. HENRY SHAW, of Center Conway, County of Carroll, and State of New Hampshire;

for consideration paid, grant to: CBJ PROPERTIES, INC. a Maine Corporation with its principal place of business located in Naples, County of Cumberland and State of Maine;

whose mailing address is: Route #11, Naples, Maine 04055

with warranty covenants, the land in Casco, County of Cumberland and State of Maine being bounded and described as follows:

Two certain lots or parcels of land located in the Town of Casco, County of Cumberland and State of Maine, and being Lots numbered 1 and 4 as shown on a plan of land of Morning Meadows Management, Inc. in Casco as prepared by Sawyer Engineering & Surveying, Inc., Bridgton, Maine, and recorded in the Cumberland County Registry of Deeds at Plan Book 170, Page 24.

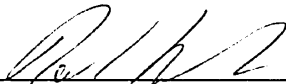
Also granting as an appurtenance of the property herein described a right of way and easement over the roadways as they currently exist and are depicted on said plans lying between Johnson Hill Road to said Lots 1 and 4 over other portions of Morning Meadows Management, Inc. land and land of Country Conservation Corp as shown on a plan entitled "Plan of Land of Country Conservation Corporation, Casco, Maine", prepared by Sawyer Engineering & Surveying, Inc., Registered Land Surveyors, Land of Country Conservation Corporation recorded in Plan Book 170, Page 23. This right of way to be for all useful purposes including utility access to the herein conveyed property.

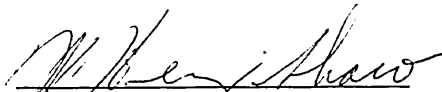
The Grantor, his successors and assigns hereby reserve an easement and right of way over the roadways as they currently exist and are depicted on said Morning Meadows Management Plan over Lots 1 and 4 for access and all other useful purposes including utility access.

Being the same premises as described in a deed of Morning Meadows Management, Inc. dated January 6, 1993 and recorded in the Cumberland County Registry of Deeds at Book 10514, Page 273.

WITNESS my hand and seal this 19th day of the month of December, 1995.

Signed, Sealed and Delivered
in presence of


WITNESS


W. HENRY SHAW

STATE OF MAINE
COUNTY OF CUMBERLAND

December 19, 1995

Then personally appeared the above-named W. Henry Shaw and acknowledged the foregoing instrument to be his free act and deed.

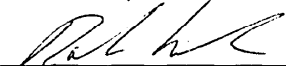
RECEIVED
RECORDED REGISTRY OF DEEDS

95 DEC 27 AM 10:16

CUMBERLAND COUNTY

John B. O'Brien

Before me,


NOTARY PUBLIC/ATTORNEY AT LAW

Robert Neault Esq.

MAINE REAL ESTATE TAX PAID



MAINE

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

[Subscriber activity report](#)

This record contains information from the CEC database and is accurate as of: Thu Sep 04 2025 11:14:19. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
CBJ PROPERTIES, INC.	19910350 D	BUSINESS CORPORATION	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
09/06/1990	N/A	MAINE

Other Names (A=Assumed ; F=Former)

NONE

Principal Home Office Address

Physical

234 CASCO ROAD
NAPLES, ME 04055

Mailing

234 CASCO ROAD
NAPLES, ME 04055

Clerk/Registered Agent

Physical

ROBERT E. DANIELSON
65 WEST COMMERCIAL STREET
SUITE 106
PORTLAND, ME 04101

Mailing

ROBERT E. DANIELSON
PO BOX 545
PORTLAND, ME 04112-0545

[New Search](#)

Click on a link to obtain additional information.

List of Filings

[View list of filings](#)

Obtain additional information:

Section 4

Proposed Zoning Language

Section 4 – Proposed Zoning Language

Enclosed within this Section is the proposed zoning text amendment language, with added verbiage **bolded in blue** and language to be removed ~~stuck out in red~~.

Chapter 215 – Zoning Ordinance, Article 4 – Zoning Districts

§215-4.1. – Establishment of Districts

- A. Village (V).
- B. Residential (R).
- C. Commercial (C).
- D. Streams and Wetlands Protection (SW).
- E. Aquifer Protection Overlay (AP).
- F. Manufactured Housing Park (MHP).
- G. Resort Commercial Overlay (RC).
- H. Shoreland District
 - (1) Resource Protection (RP).
 - (2) Limited Residential/Recreational (LRR).
 - (3) Limited Commercial/Residential (LCR).
 - (4) Stream Protection (SP).
 - (5) Watershed (WS) ³⁹

I. Mineral Extraction Overlay (MEO)

39 Editor's note – At the March 1991 Town Meeting, under Arts. 160 and 161, it was voted to create a Watershed District and to place Coffee Pond in a Watershed District called the "Coffee Pond Watershed."

§215-4.12. – Mineral Extraction Overlay District (MEO)

- A. Intent. To provide for the operation and appropriate regulation of mineral extraction and mineral processing activities on properties where such uses are established, while protecting the character of the underlying zoning district classifications and interests of adjacent property owners. Toward the achievement of this purpose, the following minimum standards are established.
- B. Applicability. This overlay district shall apply only to those properties specifically designated as being within the Mineral Extraction Overlay District on the Official Zoning Map of the Town of Casco, Maine.
- C. Permitted uses.
 - (1) Same as underlying district (subject to site plan review where indicated).
 - (2) Mineral extraction operations, including the excavation and removal of sand, gravel, stone, and other naturally occurring earth minerals.
 - (3) In addition, if not already permitted in the underlying district, the following uses are permitted, subject to site plan review:
 - (a) Mineral processing activities, including the processing of extracted minerals, of which may include crushing, screening, washing, and sorting operations. This also includes similar activities for tar, loam, and recyclable materials.
 - (b) Accessory office buildings for administrative functions related to mineral extraction and processing activities.
 - (c) Equipment storage buildings and facilities for the maintenance and repair of mineral extraction and processing equipment. Storage of equipment not related

to mineral extraction or processing operations, or other on-site based ancillary activities is expressly prohibited.

(d) Accessory structures and uses customarily incidental to mineral extraction and processing operations.

D. Prohibited uses.

- (1)** Asphalt and concrete batching plants. Manufacturing or batching of asphalt, hot-mix asphalt, ready-mix concrete, or similar products is prohibited.
- (2)** Waste disposal and fill operations. Acceptance, storage, waste processing, or disposal of solid waste, construction and demolition debris, or other waste materials from off-site sources is prohibited.
- (3)** Ancillary industrial uses. Manufacturing, fabrication, or other industrial operations not directly related to the extraction and processing of minerals from the subject property are prohibited.

E. Space standards.

- (1)** Dimensional requirements. Same as underlying district, unless otherwise modified below.
- (2)** Setbacks from property lines. All mineral extraction activities, processing operations, and stockpiling shall maintain the following minimum setbacks:
 - (a)** From any property line: 100 feet, or as otherwise required by applicable Maine Department of Environmental Protection regulations, whichever is greater.
 - (b)** From any property line abutting an exclusively residentially zoned property: 250 feet, or as otherwise required by applicable Maine Department of Environmental Protection regulations, whichever is greater.
 - (c)** Setback areas shall be maintained in their natural vegetated state to the maximum extent practicable, or shall be supplemented with additional screening as required by site plan review.
- (3)** Setbacks from water resources. All mineral extraction and processing activities shall maintain setbacks from water bodies, wetlands, and wells as required by:
 - (a)** The Maine Department of Environmental Protection under 38 M.R.S. § 490-Z (Quarries and Pits) and associated regulations.
 - (b)** The Town of Casco Shoreland Zoning Ordinance, where applicable.
- (4)** Height restrictions. Maximum heights of stockpiles, extraction equipment, processing equipment, and structures shall be reviewed based upon site-specific conditions, visual impacts, and operational requirements during site plan review.

F. Relationship to underlying district.

- (1)** Where provisions of this overlay district conflict with the provisions of the underlying district, the more restrictive provision shall apply unless otherwise specifically stated.
- (2)** Uses not permitted by either the overlay district or the underlying district are prohibited.
- (3)** Properties within the overlay district remain subject to all applicable provisions of the underlying district, except as specifically modified by this overlay.

Chapter 215 – Zoning Ordinance, Article 5 – Performance Standards

§215-5.18. – Mineral exploration; excavation, removal and filling of lands.

- A.** Mineral exploration. Exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance. A permit from the Planning Board shall be required for mineral exploration within the Shoreland District or which exceeds the above limitation.
- B.** Excavation, removal and filling of lands.
 - (1)** The following activities are exempt from this section:
 - (a)** Excavation, removal, storage, or filling (excluding mineral extraction or gravel pits) incidental to construction of a building, driveway, or parking area for which a permit has been issued.
 - (b)** Excavation, removal, storage, or filling (excluding mineral extraction or gravel pits) incidental to permitted construction, alteration, or maintenance of a public or private way(s).
 - (c)** The construction and maintenance of farm or fire ponds.
 - (d)** Drilling of a well or excavation for a dug well.
 - (e)** Commercial agricultural or farm processes associated with land spreading of inert or approved organic materials.
 - (2)** No topsoil, rock, sand, gravel and similar earth materials in excess of 100 cubic yards during a calendar year may be removed from locations where permitted under the terms of this chapter, or used for filling of lands, until a special permit for such operations has been issued by the Code Enforcement Officer to the owner upon approval by the Planning Board in accordance with the provisions of this chapter. and provided that:
 - (a)** Specific plans are established to avoid hazards from excessive slopes or standing water. Where an embankment must be left upon the completion of operations, it shall be at a slope not steeper than 50%.
 - (b)** The proposed operation meets the erosion and sedimentation control standards of § 215-5.11.
 - (c)** The operation is shielded from surrounding property with adequate screening and creates no disturbance of a water source.
 - (d)** No excavation shall be extended below the grade of adjacent streets unless 100 feet from the street line or unless provisions have been made for reconstruction of the street at a different level.
 - (e)** Sufficient topsoil or loam shall be retained to cover all areas, so that they may be seeded and restored to natural conditions.
 - (f)** A surety bond, one payable to the Town of Casco and issued by a commercial surety company authorized to do business within the State of Maine, is posted by the owner with the Treasurer of Casco in an amount recommended by the Selectboard or its agent and approved by the Planning Board as sufficient to guarantee conformity with the provisions of the granting of approval.

(3) The plan review by the Planning Board shall take into consideration the following items. The Planning Board may impose such conditions as necessary to safeguard the health, safety, and welfare of the community.

- (a)** Fencing, landscaped buffer strips and other public safety considerations.
- (b)** Advertising signs and lighting designed to prevent public nuisance conditions or undesirable aesthetic effects in the neighborhood.
- (c)** Parking space, loading and unloading areas.
- (d)** Entrances and exits.
- (e)** Routes for transporting material.
- (f)** Time period for operation.
- (g)** Hours of operation.
- (h)** Methods of operation.
- (i)** Weights and loading limit of trucks.
- (j)** Safeguards against sand and gravel spillage upon public streets.
- (k)** Complete rehabilitation proposals.
- (l)** Submission of a sedimentation and erosion control plan approved by a qualified agency or individual designated by the Planning Board.
- (m)** Submission of a stormwater management plan approved by a qualified agency or individual designated by the Planning Board.
- (n)** Limitations on the amount, type, and location of the filling operation because of potential environmental degradation.
- (o)** Use and storage locations of hazardous materials on-site.
- (p)** Proximity to nearby public and private water supplies.
- (q)** Information pertaining to how the site operations minimize dust, noise, vibrations, glare, and blasting to the greatest extent practical.
- (r)** Hazardous material handling and storage locations, if applicable.
- (s)** Area and depth of excavations.
- (t)** Locations and heights of lighting poles, if applicable.
- (u)** Any other information or submission materials pertaining to ensure the health, safety, and welfare of the community, as deemed appropriate by the Planning Board.

(4) Penalties for violations of the terms and conditions outlined in this Section shall be administered per the provisions detailed in §215-6.2., 30-A M.R.S.A. Sec. 4452 and 38 MSRA Section 490-BB.

C. Additional shoreland zone standards.

- (1)** A reclamation plan shall be filed with, and approved, by the Planning Board before a permit is granted. Such plan shall describe in detail procedures to be undertaken to fulfill the requirements of Subsection C(4) below.
- (2)** No part of any extraction operation, including drainage and runoff control features, shall be permitted within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and within 75 feet, horizontal distance, of the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland. Extraction operations shall not be permitted within 50 feet, horizontal distance, of any property line without written permission of the owner of such adjacent property.

- (3) Within 12 months following the completion of extraction operations at any extraction site, which operations shall be deemed complete when less than 100 cubic yards of materials are removed in any consecutive 12-month period, ground levels and grades shall be established in accordance with the following:

- (a) All debris, stumps, and similar material shall be removed for disposal in an approved location, or shall be buried on-site. Only materials generated on-site may be buried or covered on-site.

Note: The State of Maine Solid Waste Laws, 38 M.R.S.A. § 1301 et seq. and the solid waste management rules, Chapters 400 through 419 of the Department of Environmental Protection's regulations may contain other applicable provisions regarding disposal of such materials.

- (b) The final graded slope shall be 2 1/2:1 slope or flatter.

- (c) Top soil or loam shall be retained to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the area. Additional topsoil or loam shall be obtained from off-site sources if necessary to complete the stabilization project.

- (4) In keeping with the purposes of this chapter, the Planning Board may impose such conditions as are necessary to minimize the adverse impacts associated with mineral extraction operations on surrounding uses and resources.

D. Other Performance Standards. All new and existing mineral extraction and mineral processing operations within the Town of Casco must comply with the applicable performance standards listed below:

- (1) Significant wildlife habitat and other protected areas. Affected land may not be located in, on or over a significant wildlife habitat or other type of protected natural resource, as defined in section 38 M.R.S.A. § 480-B, or in an area listed pursuant to the Natural Areas Program, Title 12, section 544. Excavation may be allowed to occur under this section, as long as a permit is obtained pursuant to 38 M.R.S.A. Article 5-A. Permit requirements for certain excavations in, on or over high and moderate value inland waterfowl and wading bird habitat are also governed by 38 M.R.S.A. § 480-GG.
- (2) Solid waste. Solid waste generated on the affected land must be disposed of in accordance with 38 M.R.S.A. Chapter 13, including any rules adopted to implement those laws.
- (3) Groundwater protection. To ensure adequate groundwater protection, the following setback requirements must be met:
- (a) A 200-foot separation must be maintained between an excavation and a private drinking water supply that is point driven or dug and was in existence prior to the excavation.
- (b) A 300-foot separation must be maintained between excavation area and a private drinking water supply that is drilled into saturated bedrock and was in existence prior to excavation activities. The Planning Board may grant a reduction in this separation to a 100 ft. allowance where appropriate.
- (c) Separation must be maintained between an excavation and a public drinking water source as follows:
- [1] For systems serving a population of 500 persons or less, the minimum separation must be 300 feet;

- [2]** For systems serving a population of 501 persons up to 1,000 persons, the separation must be 500 feet;
- [3]** For systems serving a population of more than 1,000 persons, the separation must be 1,000 feet; and,
- [4]** For any system that holds a valid filtration waiver in accordance with the federal Safe Drinking Water Act, 42 United States Code, Sections 300f to 300j-26 (1988), the separation must be 1,000 feet.
- (d)** Refueling operations, oil changes, other maintenance activities requiring the handling of fuels, petroleum products and hydraulic fluids and other on-site activity involving storage or use of products that, if spilled, may contaminate groundwater, must be conducted in accordance with the Department of Environmental Protection's spill prevention, control and countermeasures plan. Petroleum products and other substances that may contaminate groundwater must be stored and handled over impervious surfaces that are designed to contain spills. The spill prevention, control and countermeasures plan must be posted at the site.
- (e)** In the event of excavation below the seasonal high water table, a 300-foot separation must be maintained between the limit of excavation and any predevelopment private drinking water supply, and a 1000-foot separation must be maintained between the limit of excavation and any public drinking water source or area previously designated for potential use as a public drinking water source by a municipality or private water company.
- (f)** In the event of excavation below the seasonal high-water table, the operator of a mining activity that affects a public drinking water source or private drinking water supply by excavation activities causing contamination, interruption or diminution must restore or replace the affected water supply with an alternate source of water, adequate in quantity and quality for the purpose served by the supply. This subsection is not intended to replace any independent action that a person whose water supply is affected by a mining activity may have.
- (4)** Protected natural resource buffers. A natural buffer strip must be maintained between the working edge of an excavation and a river, stream, brook, great pond or coastal wetland as defined in 38 M.R.S.A. § 480-B. A natural buffer strip must also be maintained between the working edge of an excavation and certain freshwater wetlands as defined in 38 M.R.S.A. § 480-B and have the characteristics listed in paragraph B. Excavation activities conducted within 100 feet of a protected natural resource must comply with the applicable permit requirements of the Maine Department of Environmental Protection, and may permit the removal of trees identified to be dead, diseased, or dying. The width requirements for natural buffer strips are as follows:
- (a)** A natural buffer strip at least 100 feet wide must be maintained between the working edge of the excavation and the normal high-water line of a great pond classified as GPA, or a river flowing to a great pond classified as GPA.
- (b)** A natural buffer strip at least 75 feet wide must be maintained between the working edge of the excavation and a body of water other than as described in

paragraph A, a river, stream or brook, coastal wetland or significant wildlife habitat contained within a freshwater wetland consisting of or containing:

[1] Under normal circumstances, at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for artificial ponds or impoundments; or,

[2] Peat lands dominated by shrubs, sedges, and sphagnum moss.

Note: For purposes of this subsection, the width of a natural buffer strip is measured from the upland edge of a floodplain wetland. If no floodplain wetlands are present, the width is measured from the normal high-water mark of the river, stream or brook. The width is measured from the normal high-water mark of a great pond and upland edge of a freshwater or coastal wetland.

(5) Roads. A natural buffer strip must be maintained between the working edge of an excavation and a road or right-of-way as follows:

(a) A natural buffer strip at least 150 feet wide must be maintained between the working edge of an excavation and a road designated as a scenic highway by the Department of Transportation.

(b) A natural buffer strip at least 100 feet wide must be maintained between the working edge of the excavation and any other public road. A natural buffer strip at least 50 feet wide must be maintained between the working edge of an excavation and any public right-of-way that does not contain a road. The width of a natural buffer strip adjacent to a public road or right-of-way may be reduced if there is a public entity or entities with authority to grant permission and the applicant receives permission from each authority in writing.

(c) A natural buffer strip at least 50 feet wide must be maintained between the working edge of an excavation and a private road or a right-of-way. If a private road is contained within a wider right-of-way, the buffer is measured from the edge of the right-of-way. The width of the natural buffer strip adjacent to a private road may be reduced if the applicant receives written permission from the persons having a right-of-way over the private road.

Note: A variance may not be granted from the provisions of paragraph A or C. A variance from paragraph B may be granted if the variance does not result in the natural buffer strip being reduced to less than 50 feet between the working edge of the excavation and any road or right-of-way, whichever is farther from the excavation, and if the owner or operator installs visual screening and safety measures as required by the Maine Department of Environmental Protection.

Note: A distance specified in this subsection is measured from the outside edge of the shoulder of the road or edge of the right-of-way unless otherwise specifically provided.

(6) Property boundary (quarries). A natural buffer strip at least 100 feet wide must be maintained between an excavation and any zoning boundary line. This distance may be reduced to ten (10) feet with the written permission of the affected abutting property owner or owners, except that the distance may not be reduced to less than twenty-five (25) feet from the boundary of a cemetery or burial ground. The natural buffer strip between quarries owned by abutting owners may be eliminated with the abutter's written permission if the elimination of this natural buffer strip does not

increase the runoff from either excavation across the property boundary. Any written permission to reduce a buffer must provide that it remains in effect until mining ceases and must be recorded in the registry of deeds. All property boundaries must be identified in the field by markings such as metal posts, stakes, flagging or blazed trees.

- (7) Erosion and sedimentation control.** A working pit must be naturally internally drained at all times unless a variance is obtained from the Maine Department of Environmental Protection. Stockpiles consisting of topsoil to be used for reclamation must be seeded, mulched or otherwise temporarily stabilized. The proposed operation must meet the erosion and sedimentation control standards of §215-5.11. of this Zoning Ordinance.
- (8) Water quality protection and storm water management.** Standards of the laws governing storm water management and waste discharge must be met as provided in this subsection.
 - (a)** A variance must be obtained and storm water standards adopted pursuant to 38 M.R.S.A. § 420-D must be met for any part of a project, other than the working pit area, that is not naturally internally drained if that part of the project would require a storm water management permit pursuant to 38 M.R.S.A. § 420-D but for the exception for certain excavations in 38 M.R.S.A. § 420-D, subsection 5. A storm water management permit pursuant to 38 M.R.S.A. § 420-D is not required.
 - (b)** A waste discharge must meet standards and obtain authorization if required pursuant to 38 M.R.S.A. § 413.
 - (c)** If a reclaimed slope or working pit is adjacent to steep slopes and a protected natural resource, measures must be taken to prevent storm water from ponding at the base of the reclaimed slope or working pit.
- (9) Traffic.** Any excavation activity that generates 100 or more passenger car equivalents at peak hour must comply with the applicable permit requirements under 23 M.R.S.A. § 704-A.
- (10) Noise.** Adequate provisions shall be made to control noise to the greatest extent practical on-site.
- (11) Dust.** Dust generated by activities at a quarry, including dust associated with traffic to and from a quarry, must be controlled by sweeping, paving, watering or other best management practices for control of fugitive emissions. Dust control methods may include calcium chloride as long as the manufacturer's labeling guidelines are followed. No variances from the provisions of this subsection shall be granted. Visible emissions from a fugitive emission source may not exceed an opacity of 20% for more than 5 minutes in any one-hour period.
- (12) Blasting.** The Applicant shall bear the burden of proof, where any blasting that may occur on-site, is required to be in accordance with 25 M.R.S.A. § 318.
- (13) Lighting.** Lighting must be shielded from adjacent highways and residential areas. All lighting must conform to the lighting standards set forth in §215-5.12.
- (14) Compliance with state regulations.** All mineral extraction and processing operations within the overlay district shall comply with applicable state statutes and regulations, including but not limited to:

- (a) 38 M.R.S. § 490-Z and associated Maine Department of Environmental Protection rules governing quarries and pits.
- (b) All applicable air quality, water quality, stormwater management, and natural resource protection regulations.
- (c) Maine Department of Transportation regulations governing access to public ways and transportation of materials.

(15) Site plan review requirements:

- (a) Any new processing operations, expansion of existing extraction areas, or modification of approved operations shall require site plan review and approval by the Planning Board.
- (b) Site plan applications shall include, at minimum:
 - [1] Detailed site plans showing existing and proposed extraction areas, processing locations, access roads, stockpile areas, and buffer zones;
 - [2] Proposed methods for dust control, erosion control, and stormwater management;
 - [3] Traffic impact analysis and proposed access improvements;
 - [4] Reclamation plan for exhausted extraction areas;
 - [5] Analysis of impacts on abutting properties and proposed mitigation measures; and,
 - [6] Demonstration of compliance with all setback and performance standard requirements

(16) Inspections and enforcement. The Code Enforcement Officer shall have the authority to inspect operations within the overlay district to ensure compliance with this Zoning Ordinance and approved site plans. Violations of the overlay district standards or performance standards shall be subject to the enforcement provisions of this Zoning Ordinance.

E. Reclamation.

- (1) Reclamation (quarries).** All mineral extraction operations shall have an approved reclamation plan on file with the Code Enforcement Officer. The affected land must be restored to a condition that is similar to or compatible with the conditions that existed before excavation. Reclamation may be conducted in accordance with the Maine Department of Environmental Protection's Best Management Practices for erosion and sedimentation control and must include the following:
 - (a) Highwalls, or quarry faces, must be treated in such a manner as to leave them in a condition that minimizes the possibility of rock falls, slope failures and collapse. A highwall that is loose must be controlled by the use of blasting or scaling, the use of safety benches, the use of flatter slopes or reduced face heights or the use of benching near the top of the face or rounding the edge of the face.
 - (b) A vegetative cover must be established by seeding or planting within one year of the completion of excavation. Vegetative cover must be established on all affected land except for quarry walls and flooded areas. A vegetative cover must be established on safety benches, unless otherwise approved by the department. Topsoil must be placed, seeded and mulched within 30 days of final grading. Vegetative cover is acceptable if within one year of seeding:

- [1]** The planting of trees and shrubs results in a permanent stand or a stand capable of regeneration and succession sufficient to ensure a 75% survival rate; and,
- [2]** The planting of all material results in permanent 90% ground cover.
- [3]** Vegetative cover used in reclamation must consist of grasses, legumes, herbaceous or woody plants, shrubs, trees or a mixture of these.
- (c)** All structures, once no longer in use, and all access roads, haul roads and other support roads must be reclaimed.
- (d)** All affected lands must be reclaimed within two (2) years after final grading.
- (e)** Topsoil that is stripped or removed must be stockpiled for use in reclaiming disturbed land areas. A variance from this paragraph may be granted if the applicant demonstrates that the soil is not needed for reclamation purposes.
- (f)** Regrading side slopes to a slope no steeper than 2 1/2 horizontal feet for each vertical foot. A variance from this paragraph may be granted from, provided that the slopes exhibit substantial vegetation and are stable. A fee shall not be assessed for a request for a variance from this item.

Section 5

Existing Conditions & Resource Map

NOTES:

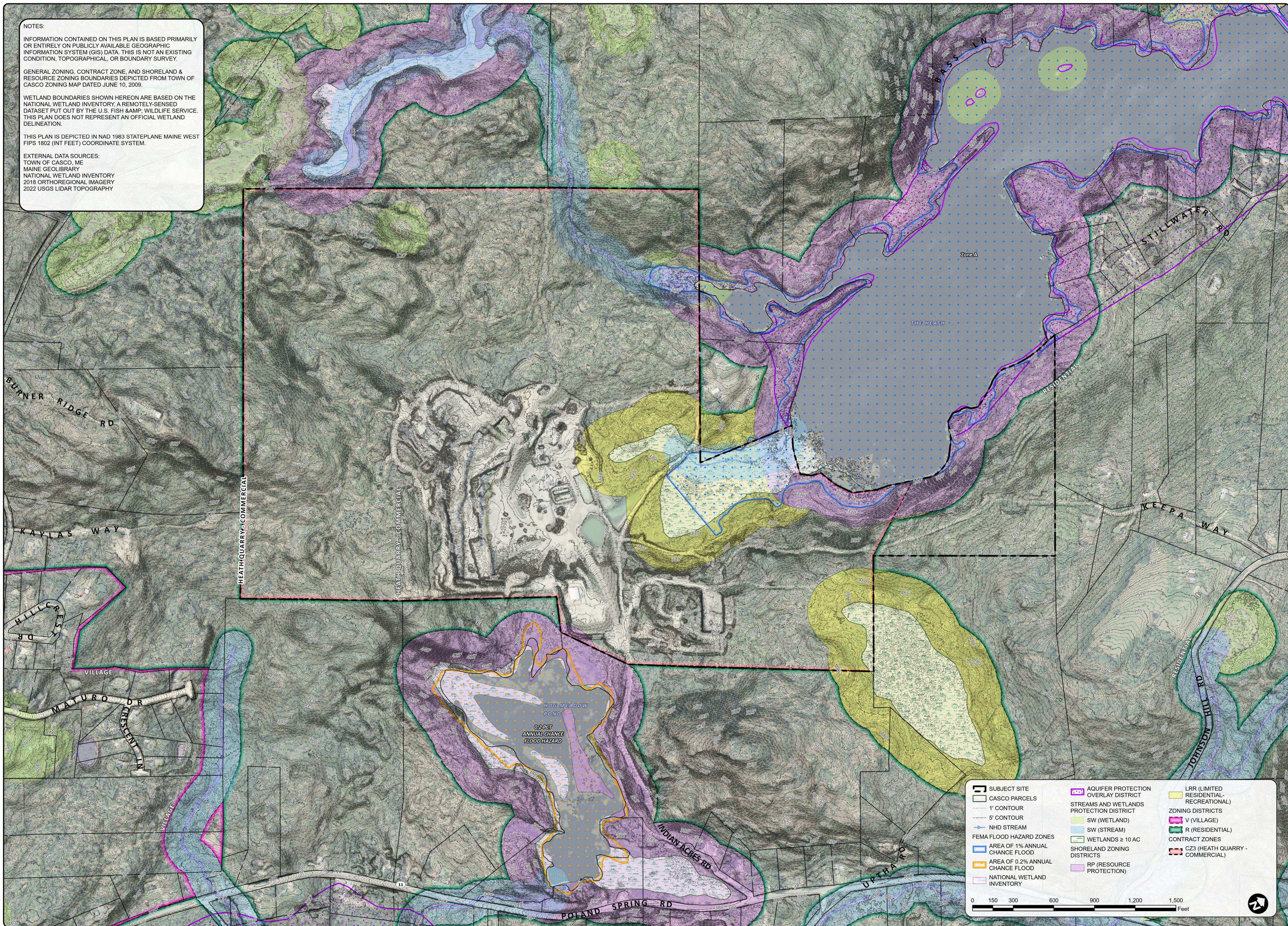
INFORMATION CONTAINED ON THIS PLAN IS BASED PRIMARILY OR ENTIRELY ON PUBLICLY AVAILABLE GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA. THIS IS NOT AN EXISTING CONDITION, TOPOGRAPHICAL, OR BOUNDARY SURVEY.

GENERAL ZONING, CONTRACT ZONE, AND SHORELAND & RESOURCE ZONING BOUNDARIES DEPICTED FROM TOWN OF CASCO ZONING MAP DATED JUNE 10, 2009.

WETLAND BOUNDARIES SHOWN HEREON ARE BASED ON THE NATIONAL WETLAND INVENTORY, A REMOTELY-SENSED DATASET PUT OUT BY THE U.S. FISH & WILDLIFE SERVICE. THIS PLAN DOES NOT REPRESENT AN OFFICIAL WETLAND DELINEATION.

THIS PLAN IS DEPICTED IN NAD 1983 STATEPLANE MAINE WEST
FIPS 1802 (INT FEET) COORDINATE SYSTEM.

EXTERNAL DATA SOURCES:
TOWN OF CASCO, ME
MAINE GEOLIBRARY
NATIONAL WETLAND INVENTORY
2018 ORTHOREGIONAL IMAGERY
2022 USGS LIDAR TOPOGRAPHY



GIS PLAN

NOT FOR
CONSTRUCTION

[illegible]

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South Portland, Bridgton, Sanford and Bath

EXISTING GEOGRAPHIC INFORMATION PLAN

OF:
HEATH QUARRY
90 INDIAN ACRES ROAD
CASCO, MAINE

FOR:
CASCO, MAINE
P&K SAND & GRAVEL INC.

DESIGNED	
DRAWN	MTM
CHECKED	
DATE	2/14/2025
SCALE	1" = 300'
PROJECT	250067

SHEET 1 OF 1

Section 6

Proposed Zoning Map

