

City of Augusta

NOTICE OF INTENT TO APPLY FOR LICENSE Mineral Extraction

Type of License:

Existing Operation Expanding Operation New Operation

Name of Owner: Kevin & Jessica Dostie

Mailing Address: 360 Mt. Vernon Road

Town/City: Augusta State: Maine Zip Code: 04330

Name of Operator: Kevin & Jessica Dostie

Mailing Address: 360 Mt. Vernon Road

Town/City: Augusta State: Maine Zip Code: 04330

Telephone Number (daytime) 207-626-0731

Name of nearest road and directions to site: From the Mt. Vernon Road/Burns

Road intersection travel 0.6 miles along Mt. Vernon Road where the proposed pit haul road will be installed on the left. Continuing another 0.3 miles will bring you to the existing pit haul road on the left.

1. Does the operation have an Active Extraction Area (The pit itself, the actual hole in the ground, including side slopes and adjoining areas with overburden removed or proposed to be removed, excluding roads, structures, stockpiles, etc., which is being worked to produce minerals an/or that is yet to be reclaimed) larger than 2 acres?

Yes No

If No, is the Active Extraction Area, as defined, within 300 feet of a residential property line?

Yes No

2. Does the operation have an Active Extraction Area, as defined, that exceeds 10 acres?

Yes No

If Yes to the above, is the applicant submitting a written request for an exemption from making reclamation for acreage that exceeds the 10 acre limit?

Yes No

Required Submissions:

A copy of a deed, lease, option of other evidence of title, right or interest to the subject property and the City of Augusta's Tax Map and Lot Number.

A copy of all existing City and State Permits; (if applicable)

A sketch plan of the property boundaries, including all land contiguous to the mineral extraction site owned, leased or controlled by the owner or operator of the operation, the footprint of operations as of November 21, 2005 (the effective date of the City of Augusta's Mineral Extraction Ordinance), including the active extraction area, all stockpiles and areas, all handling areas with crushers, screens, washers, all areas with overburden removed, all reclaimed and un-reclaimed areas, setbacks, buffers, bufferyards, all structures, all associated activities and all wells, roads, water bodies and wetlands within or abutting said operations of other mineral extraction activities on the properties abutting the land of the owner operator.

This sketch must be to scale and be prepared and certified by a licensed Maine Land Surveyor and must satisfy at least the standards for a property sketch whereby apparent boundary lines are identified. It may, but is not required to be a Standard Boundary Survey. It shall be to scale of no less than 1 inch to 50 feet.

Reclamation Plan, ONLY if the total disturbed area exceeds 10 acres or is proposed to exceed 10 acres.

Performance Guarantee, as outlined in Section 6-77 of the City of Augusta's Mineral Extraction Ordinance.

Addendum 1: Site Plan Review Criteria Applicable to Conditional Uses

Addendum 2: Mineral Extraction Ordinance performance standards

Additional Documentation That May Be Submitted:

Including, but not limited to, aerial photographs, ground photographs and volume of extraction reports.

Request for Exemptions:

If applicable, applicant must submit written requests as attachments to this application.
Stormwater exemption (see attached letter).

Application Fee:

___ (\$ 250.00) for mineral extraction activity 2 to 5 acres
___ (\$ 350.00) for mineral extraction activity larger than 5 acres

Checks shall be made payable to the *City of Augusta, Maine*

Number of Copies:

3 full-sized copies of plans (ANSI D or E)
 6 reduced-sized copies of plans (11" x 17")
 9 copies of application form
 9 copies of title, right or interest
 9 copies of all existing City and State permits
 9 copies of reclamation plan narrative
 9 copies of Addendum 1 & 2
 9 copies of any additional documentation
 1 CD that includes all of the material submitted in Adobe format

I am filing my NOTICE OF INTENT TO APPLY FOR LICENSE and required application materials with the City of Augusta as set forth in DIVISION 3: Mineral Extraction Ordinance of the City of Augusta's Code of Ordinances. I understand that I am certifying that I will abide by all requirements as set forth in this ordinance. In addition, I understand that I am authorizing the City of Augusta to access the project site for the purposes of determining compliance with the ordinance. Furthermore, I attest that all the Information provided herein is factual.

James Cobbi
Signature of Owner: (agent with authorization letter) 4/17/15
Date

Signature of Operator (if other than Owner) Date

432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

April 17, 2015

City of Augusta
Attn: Matt Nazar
City Planner
One City Center
Augusta, Maine 04330

Subject: Kevin & Jessica Dostie
Neighborhood Compatibility
360 Mt. Vernon Road
Augusta, Maine

Dear Matt:

I have researched the proposed development located on Mt. Vernon Road for **Kevin & Jessica Dostie**, herein called the applicant in regard to neighborhood compatibility per the City of Augusta Land Use Ordinance. We understand that the intent of the section is to encourage the applicant to design the proposal in consideration of the physical impact it will have on the immediate neighborhood within 1,000 feet. The following information is required for Addendum #1 as outlined in the Mineral Extraction Ordinance:

1) NEIGHBORHOOD COMPATIBILITY:

a) Is the proposal compatible with and sensitive to the character of the site and neighborhood relative to:

i) Land uses:

The parcel is within the Rural River District (RR) in which Mining Activities are considered a conditional use. The nearest house (Tondreau) is located on Mt. Vernon Road and is over 300 feet away from any pit activities. There is another house on the east side of Mt. Vernon Avenue that is over 550' from the active pit and over 400' from the pit haul road.

ii) Architectural design:

There are no buildings proposed and this section is not applicable.

iii) Scale, bulk and building height:

There are no buildings proposed and this section is not applicable.

iv) Identity and historical character:

A letter has been sent to the Maine Historical Society asking if there are any historical sites within the development.

v) Disposition and orientation of buildings on the lot:

There are no buildings proposed and this section is not applicable.

vi) Visual integrity:

There are no buildings proposed and this section is not applicable.

Professionals Delivering Quality Solutions

- b) Are the elements of the site plan designed and arranged to maximize the opportunity for privacy by the residents of the immediate area?

The east side of the proposed pit is over 350' from Mt. Vernon Road and there is a substantial amount of vegetation being left along the east side of the project. Steve McGee Construction has a purchase/sale agreement to buy the Tondreau property to the south. The applicant has a written agreement with McGee to have no setback along the common property line.

- c) Will the proposal maintain safe and healthful conditions within the neighborhood?

The only residential neighbor within 500' is across Mt. Vernon Road and a large amount of pine trees are not being disturbed between this house and the proposed pit. This will buffer pit activities from Mt. Vernon Road.

- d) Will the proposal have a significant detrimental effect on the value of adjacent properties?

The gravel pit area is over 300' from the trailer on Tondreau's property. This property is being sold to McGee Construction and the trailer will be utilized by an employee of McGee Construction to oversee pit operations. As mentioned above the only other home 1,000 feet is the home on the east side of Mt. Vernon Road over 550 feet from the gravel pit. The proposed gravel pit will not have a detrimental effect on adjacent properties.

2) PLANS AND POLICIES:

- a) Is the proposal in accordance with the adopted elements of the 1988 Growth Management Plan?

Mineral extraction is allowed only in the Rural River (RR & RR2) Districts within the City. The Growth Management Plan states that future land uses include extractive uses within the North River Residential Area. Therefore the project complies with the 1988 Growth Management Plan.

3) TRAFFIC PATTERN, FLOW AND VOLUME:

- a) Is the proposal designed so that the additional traffic generated does not have a significant negative impact on surrounding neighborhood?

The proposed project is not anticipated to result in trucks coming in and out of the pit area until a time when gravel or sand will be moved out of the pit area. When this time comes there will be dump trucks moving in and out of the pit, but as to how many will depend on the amount of material needed. The project will not trigger a Traffic Impact Analysis with the City or a Turning Movement Permit with the MDOT.

- b) Will safe access be assured by providing proper sight distance and minimum width curb cuts for safe entering and exiting? See City of Augusta Technical Standards Handbook.

The new entrance/exit has over 455 feet to the north and over 515 feet to the south, which complies with the minimum sight distance of 350'.

- c) Does the proposal provide access for emergency vehicles and for persons attempting to render emergency services?

The new pit haul road will allow emergency vehicles to adequately maneuver thru to and into the gravel pit area to render emergency services as needed.

- (d) Does the entrance and parking system provide for the smooth and convenient movement of vehicles both on and off the site? Does the proposal satisfy the parking capacity requirements of the city and provide adequate space suited to the loading and unloading of persons, materials and goods?

Parking will not be an issue within the pit area as the owner is proposing to excavate most of the material by himself. Proper traffic movement features in and around the site will be maintained as shown on the Site Plan (C-1).

4) PUBLIC FACILITIES:

- a) Water Supply:

No new water services are proposed and this section is not applicable.

- b) Sanitary Sewer:

No new sewer services are proposed and this section is not applicable.

- c) Electricity/Telephone:

No new electrical or telephone services are proposed and this section is not applicable.

- d) Storm Drainage:

The entire pit will be internally drained with no stormwater exiting the property from the pit area. The only additional stormwater that will exit the site will be from the new pit haul road along the east side of the property. This new road is adjacent to a freshwater wetland, which will create a runoff delay as there is very little slope associated with it. For this reason we are asking for a waiver in regard to the stormwater ordinance.

5) RESOURCE PROTECTION AND ENVIRONMENT:

- a) If the proposal contains known sensitive areas such as erodible or shallow soils, wetlands, aquifers, aquifer recharge areas, floodplain or steep slopes (over fifteen (15) percent, what special engineering precautions will be taken to overcome these limitations?

Minimal wetlands will be impacted by the project as a result of the new pit haul road being installed. Once the pit has been completely mined slopes will be stabilized at a 2 ½ to 1 slope, which complies with both local and state codes.

- b) Does the proposal conform to applicable local, State DEP and Federal EPA air quality standards including but not limited to odor, dust, fumes or gases which are noxious, toxic or corrosive, suspended solid or liquid particles, or any air contaminant which may obscure an observer's vision?

The pit is required to be licensed through the DEP, but no State DEP or Federal EPA permits are needed in regard to air quality standards. There may be some dust during pit operations and along the haul road, but the contractor must put calcium chloride down on a weekly basis should dust become an issue as mentioned in the Mineral Extraction Ordinance.

- c) Does the proposal conform to applicable local, State DEP and Federal EPA water quality standards, including but not limited to erosion and sedimentation, runoff control, and solid wastes and hazardous substances?

The entire pit will be internally drained with no stormwater exiting the property from the pit area. The reclamation plan depicts the proposed slopes in the post-developed condition.

- d) Will all sewage and industrial wastes be treated and disposed of in such a manner as to comply with applicable federal, state and local standards?

No new sewer services are proposed nor will there be any industrial wastes and this section is not applicable.

- e) Shoreland and Wetland Districts:

The project is not near any waterbodies, but there be 3,625 sf of wetland impacts due to the installation of the pit haul road.

6) PERFORMANCE STANDARDS:

- a) Does the proposal comply with all applicable performance and dimensional standards as outlined in this ordinance?

The proposed development conforms to the Land Use Ordinance in regard to performance and dimensional standards.

- b) Can the proposed land use be conducted so that noise generated shall not exceed the performance levels specified in the performance standards section of this ordinance? Detailed plans for the elimination of objectionable noises may be required before the issuance of a building permit.

There will be noise generated with pit activities with the use of construction vehicles on site. The large stand of coniferous trees along the east side of the property will remain to provide a noise barrier. Noise levels are limited to 60 decibels from any property line.

- c) If the proposal involves intense glare or heat, whether direct or reflected, is the operation conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line? Detailed plans for the elimination of intense glare or heat may be required before issuance of a building permit. Temporary construction is excluded from this criterion.

As mentioned above the large stand of coniferous trees to the east will remain. There are mineral extraction activities to both the south and west side properties that reduce setbacks down to zero. Intense glare or heat should not affect adjacent property owners.

- d) Is the exterior lighting, except for overhead street lighting and emergency warning or traffic signals, installed in such a manner that the light source will be sufficiently obscured to prevent excessive glare on public streets and walkways or into any residential area?

No exterior lighting is proposed and this section is not applicable.

- e) Does the landscaping screen the parking areas, loading areas, trash containers, outside storage areas, blank walls or fences and other areas of low visual interest from roadways, residences, public open space (parks) and public view?

The large stand of coniferous trees to the east is being left in place and with other mineral extraction activities occurring to the south and west no buffering is required.

The Dostie house lot will be combined with the large parcel to obtain one parcel.

With the house on the large parcel no buffering is required between the two uses.

- f) Are all the signs in the proposal in compliance with provisions of this ordinance?

No signs are proposed at this time and this section is not applicable.

7) FINANCIAL AND TECHNICAL ABILITY:

- a) **E.S. Coffin Engineering & Surveying has the technical ability to meet the terms of the Ordinance.**

- b) **No financial letter is needed as the land owner is performing the mineral extraction activity as a sole operator.**

The proposed project meets the requirements of land use ordinance and if you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Sincerely,



James E. Coffin, P.E.

Addendum 2: Mineral Extraction Ordinance Performance Standards

The following is a list of performance standards which will be used by the Planning Board to evaluate your application. Please refer to section 6-76 of the Mineral Extraction Ordinance and include a narrative with your application that completely addresses each of the following performance standards.

1. Erosion, sedimentation control & stormwater management.

Since the gravel pit is self contained stormwater is not an issue within it. The new pit haul road is adjacent to a freshwater wetland and with the small amount of impervious area associated it we are asking for a waiver in regard to stormwater. Runoff in this area will be slowed down by the flat slope associated with the wetland and thus reducing down stream flooding possibilities.

2. Reclamation plan.

A reclamation plan has been included with this submission that depicts the site in the post-extraction state. All slopes shown are no steeper than 2 1/2:1, which complies with the mineral extraction ordinance. Reclamation shall commence within six (6) months of completion or project abandonment, whichever comes first.

3. Petroleum usage.

The applicant will not have a fueling depot located within the pit area. A local fuel delivery company will supply fuel on a weekly basis near the owner's automobile business, over existing impervious area.

4. Buffers, bufferyards, and setbacks.

There are two mineral extraction operations to the south and west and the applicant is in the process of obtaining signed agreements to eliminate setbacks. A large stand of coniferous trees has been left along the east side of the property to provide a buffer along Mt. Vernon Road. A 300' setback as shown on Sheet C-1 has been established for the trailer to the south located on Tondreau's property.

5. Pit haul road design, circulation and traffic.

A new pit haul road is proposed as shown on the Site Plan (C-1). There is 455' of sight distance to the north and 515' of sight distance to south along Mt. Vernon Road, which complies with the Technical Standards of a minimum of 350' for the 35 mile per hour speed limit.

6. Ground water impacts.

Test pits were dug in 2007 down to elevation 157' without finding groundwater. Therefore we've established a pit floor elevation of 162' to meet the minimum of five feet above the groundwater table.

7. Noise.

As mentioned above there are two other mineral extraction operations to the south and west with Mt. Vernon Road bordering the remainder of the property. A large stand of coniferous trees are being left along the east side of the property.

8. Blasting.

No blasting will take place during the gravel pit operation and this section is not applicable.

9. Hours and duration of operations.

With the exception of snow dumping the hours of operation will be from 6:00 am to 8:00 pm during Daylight Savings Time. No extraction operations will take place on Sundays.

10. Dust.

As outlined in the Mineral Extraction Ordinance calcium chloride shall be put down at least once a week along the pit haul road. Should dust become an issue calcium chloride will be applied more often to alleviate the issue.

11. Solid waste.

There will not be any solid wastes generated by this proposal with the exception of tree stumps, which will be buried on site.

12. Stockpiles.

All stockpile areas will be within the active extraction area as shown on the submitted plans. No stockpile will exceed 30' in height above the grade level surrounding the outer edge of the pit.

13. Associated mineral extraction uses.

Activities related to the mineral extraction operation shall include:

- a. Screening operation of on-site materials**
- b. Snow dump storage**
- c. Stockpiling of soil amendment products (lime)**
- d. Stockpiling of off-site reclaimed mineral products (topsoil)**
- e. Fueling of equipment (on-site) trucks, excavators, screens, loaders, etc.**
- f. Storage of construction equipment (excavation related)**
- g. Storage of salt/mixed winter sand to support off-site sanding operations**
- h. Soil erosion control products to be used on or off-site (silt fence, mulch, etc.)**
- i. Storage & processing of wood debris (on-site generated)**
- j. Construction trailer (on-site office)**

14. Clear cutting.

As mentioned the large stand of coniferous trees will be left in place along the east side of the property. There will not be any tree cutting in any setback areas shown on the Restoration Plan (C-1).

15. Existing nonconforming buffers and setbacks.

There are not any non-conforming setbacks or buffers associated with the project.

April 08, 2015

Mr. James Coffin, P.E.
E.S. Coffin Engineering & Surveying, LLC.
432 Cony Road
P.O. Box 4687
Augusta, Maine 04330

Subject: Agent Authorization
City of Augusta Submissions

Dear Mr. Coffin

The intent of this letter is to authorize E.S. Coffin Engineering & Surveying, Inc. to act as my agent in submitting applications and answering questions regarding the City of Augusta Planning Board Submissions. The project is located on Mt. Vernon Road in Augusta, Maine.

Sincerely,

A handwritten signature in black ink, appearing to read 'KD', with a long horizontal flourish extending to the right.

Kevin Dostie, Owner



OPR BK 11814 PGS 272 - 275 10/02/2014 03:14:58 PM
INSTR # 2014023758 # OF PAGES 4
ATTEST: BEVERLY BUSTIN-HATHEWAY
REGISTER OF DEEDS KENNEBEC COUNTY, ME

**NOT TRANSFER
TAX
PAID**

**QUIT-CLAIM DEED, JOINT TENANCY
WITH COVENANT**

KNOW ALL MEN BY THESE PRESENTS,

THAT, I, **Norbert G. Dostie**, of Manchester, County of Kennebec and State of Maine, in consideration of one dollar and other valuable consideration, paid by **Kevin R. Dostie and Jessica K. Dostie**, of Augusta, County of Kennebec and State of Maine,

whose mailing address is: 360 Mt. Vernon Road, Augusta, ME 04330

the receipt whereof I do hereby acknowledge, do hereby **REMISE, RELEASE, BARGAIN, SELL AND CONVEY**, and forever **QUIT-CLAIM** unto the said **Kevin R. Dostie and Jessica K. Dostie**, as joint tenants and not as tenants in common, and their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them, forever,

SEE EXHIBIT "A" ATTACHED HERETO

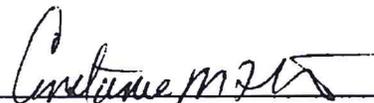
MEANING AND INTENDING to convey any and all interest I may have in the premises conveyed to Norbert G. Dostie by deed from Estate of Joseph G. Dostie dated August 27, 2014 and recorded in the Kennebec County Registry of Deeds in Book 11790, Page 230.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belonging, to the said **Kevin R. Dostie and Jessica K. Dostie**, as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, to them and their use and behoof forever.

AND I do COVENANT with the said Grantees, their successors and assigns, that I shall and will WARRANT AND DEFEND the premises to the said Grantees, their successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under me.

IN WITNESS WHEREOF, I, the said **Norbert G. Dostie**, have hereunto set my hand and seal this 30 day of September in the year of our Lord two thousand fourteen.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF



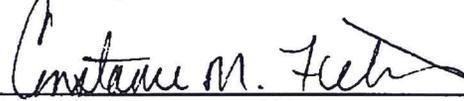

Norbert G. Dostie

STATE OF MAINE
KENNEBEC, ss.

Personally appeared the above-named Norbert G. Dostie and acknowledged the above instrument to be his free act and deed,

Dated: September 30, 2014

Before me,



Notary Public, State of Maine
My Commission Expires:

Constance M. Fletcher, Notary Public
State of Maine
My Commission Expires 6/18/20

EXHIBIT A

That tract of land located on the southwesterly side of Mount Vernon Road and on the southeasterly line of the Town of Manchester, in the City of Augusta, County of Kennebec, State of Maine, more particularly described as follows:

BEGINNING on the southwesterly right-of-way line of Mount Vernon Road, the southeasterly line of the Town of Manchester, and the southeasterly line of other land of the Estate of Joseph G. Dostie (Book 1409-Page 257). Said point of beginning being N 70°40'36" E and 0.85 feet from a 3/4-inch rebar.

THENCE S 07°05'42" E along said southwesterly right-of-way line of Mount Vernon Road, a distance of 580.17 feet;

THENCE southeasterly along said southwesterly right-of-way line of Mt. Vernon Road, a distance to the northeasterly corner of Kevin R. & Jessica K. Dostie (Book 6992-Page 258). The tie line of the last course being S 21°59'01" E and 616.37 feet;

THENCE N 82°56'47" W along the northeasterly line of said Kevin R. & Jessica K. Dostie (Book 6992-Page 258), a distance of 437.32 feet to a 1-1/4" pipe found at the northeasterly corner of Kevin R. & Jessica K. Dostie (Book 9066-Page 77);

THENCE N 78°42'52" W along the northeasterly line of said Kevin R. & Jessica K. Dostie (Book 9066-Page 77), a distance of 107.69 feet to a 1-1/4" pipe found at the northwesterly corner of said Kevin R. & Jessica K. Dostie (Book 9066-Page 77);

THENCE S 07°42'38" E along the southwesterly line of said Kevin R. & Jessica K. Dostie (Book 9066-Page 77), a distance of 404.96 feet to an iron rod found at the southwesterly corner of said Kevin R. & Jessica K. Dostie (Book 9066-Page 77);

THENCE S 78°08'56" E along the southwesterly line of said Kevin R. & Jessica K. Dostie (Book 9066-Page 77), a distance of 97.91 feet to an iron rod found at the southwesterly corner of said Kevin R. & Jessica K. Dostie (Book 6992-Page 258);

THENCE S 82°52'36" E along the southwesterly line of said Kevin R. & Jessica K. Dostie (Book 6992-Page 258), a distance of 438.84 feet to the northwesterly right-of-way line of said Mt. Vernon Road;

THENCE southwesterly along said northwesterly right-of-way line of Mt. Vernon Road, a distance of 843 to a 5/8-inch rebar set in 2014 at the northeasterly corner of

Robert A. & Lauristine Tondreau (Book 2541-Page 240). The tie line of the last course being S 15°33'47" W and 839.74 feet;

THENCE N 58°23'06" W along a wire fence and the northeasterly line of said Tondreau, a distance of 1346.42 feet to a 5/8-inch rebar set in 2014 on said southeasterly line of the Town of Manchester;

THENCE N 31°47'19" E along said southeasterly line of the City of Augusta and said southeasterly line of other land of the Estate of Joseph G. Dostie, a distance of 1942.92 back to the point of beginning).

Meaning and intending to describe 31.57 acres of land. Directions are oriented to Magnetic North 2006, as shown on a plan entitled "Sketch Plan, Gravel Pit Application, Joseph Dostie, Mt. Vernon Road, Augusta, Kennebec County, Maine" by E. S. Coffin Engineering & Surveying, Inc., dated April 28, 2006, revised through November 30, 2007 and a plan entitled "Boundary Survey, Proposed Conveyance to Brian G. & Amy L. Dostie from the Estate of Joseph G. Dostie" by Coffin Engineering & Surveying, Inc. dated May 21, 2014.

BEING a portion of land conveyed from Bethlehem Lodge No. 35, A.F. & A.M. to Joseph G. Dostie, dated February 11, 1966, recorded at the Kennebec County Registry of Deeds Book 1409-Page 257.

TOGETHER with any rights to a 50 foot by 30 foot parcel of land for a cistern as mentioned in the deed from Percy W. & Mabel A. Morrill to William S. Knowles, recorded at the Kennebec County Registry of Deeds in Book 618-Page 505.

The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

THIS DEED DESCRIPTION PREPARED BY KANE P. COFFIN, PLS 1292, AN AGENT OF E. S. COFFIN ENGINEERING & SURVEYING, INC.

BK 6992PG258

TRANSFER
TAX
PAID

WARRANTY DEED
JOINT TENANCY
022764

KNOW ALL MEN BY THESE PRESENTS,

THAT I, Joseph Gerard Dostie, of Augusta, County of Kennebec, State of Maine, in consideration of one dollar and other valuable consideration, paid by Kevin Roger Dostie and Jessica Katherine Dostie, of Augusta, County of Kennebec, State of Maine,

whose mailing address is: RFD #5, Box 1182, Augusta, ME 04330

the receipt whereof, I do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL and CONVEY unto the said Kevin Roger Dostie and Jessica Katherine Dostie, as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever,

A certain lot or parcel of land situated in the City of Augusta, County of Kennebec and State of Maine, bounded and described as follows:

BEGINNING at an iron set on the west side of Mount Vernon Road, so-called, which iron pin is approximately 1,213 feet southerly from the Augusta-Manchester town line; thence westerly a distance of 450 feet, more or less, to a permanent iron disc set in the ground; thence south a distance of 400 feet, more or less, to a permanent iron disc set in the ground; thence easterly a distance of 450 feet, more or less, to an iron pin set on the westerly side of Mount Vernon Road; thence northerly along the westerly line of Mount Vernon Road a distance of 400 feet, more or less, to the point of beginning.

The above description is based on information provided to the scrivener by Grantees herein.

MEANING and INTENDING to convey a part of the premises conveyed to Joseph Gerard Dostie by deed from Bethelchem Lodge No. 35 A.F.& A.M. dated February 11, 1966 and recorded in the Kennebec County Registry of Deeds at Book 1490, Page 257. This conveyance constitutes a gift from Grantor to Grantor's grandson and his wife.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Kevin Roger Dostie and Jessica Katherine Dostie, as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, to them and their use and behoof forever.

AND I do COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all encumbrances except as hereinbefore set forth; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, against the lawful claims and demands of all persons.

2

IN WITNESS WHEREOF, I, Joseph Gerard Dostie and Martha Emma Dostie, wife of Joseph Gerard Dostie, have hereunto set our hands and seals in release of all rights this 18th day of July in the year two thousand two.

Signed, Sealed and Delivered
in presence of:

Richard W Foley
Martha Dostie

Joseph Gerard Dostie
Joseph Gerard Dostie
Martha E Dostie
Martha Emma Dostie

STATE OF MAINE, Kennebec, ss.

July 18, 2002

Personally appeared the above named Joseph Gerard Dostie and acknowledged the foregoing instrument to be his free act and deed,

Before me,

Charlene G. Honea
Notary Public
Printed Name: Charlene G. Honea



RECEIVED KENNEBEC SS.

2002 JUL 24 AM 10:40

ATTEST: Carolyn...

REGISTER OF DEEDS

**NO TRANSFER
TAX PAID**

**WARRANTY DEED
JOINT TENANCY**

KNOW ALL MEN BY THESE PRESENTS,

THAT I, Joseph Gerard Dostie, of Augusta, County of Kennebec, State of Maine, in consideration of one dollar and other valuable consideration, paid by **Kevin Roger Dostie and Jessica Katherine Dostie**, of Augusta, County of Kennebec and State of Maine,

whose mailing address is: 360 Mount Vernon Road, Augusta, ME 04330

the receipt whereof, I do hereby acknowledge, do hereby **GIVE, GRANT, BARGAIN, SELL** and **CONVEY** unto the said **Kevin Roger Dostie and Jessica Katherine Dostie**, as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever,

A certain lot or parcel of land situated in Augusta, County of Kennebec and State of Maine, bounded and described as follows:

BEGINNING at permanent iron disc set in the ground at the northwest corner of the premises conveyed to Kevin Roger Dostie and Jessica Katherine Dostie recorded in Book 6992, Page 258 of the Kennebec County Registry of Deeds; thence westerly in a continuation of Kevin Roger Dostie and Jessica Katherine Dostie's northerly line a distance of 100 feet to a point; thence running southerly parallel to the westerly line of said Dosties described in Book 6992, Page 258 to a point; thence easterly a distance of 100 feet to a permanent iron disc set at the southwest corner of the premises described in Book 6992, Page 258 referenced above; thence northerly along the said Dosties' westerly line a distance of 400 feet to the point of beginning.

The above description is based on information provided to the scrivener by Grantees herein.

MEANING and INTENDING to convey a part of the premises conveyed to Joseph Gerard Dostie by deed from Bethelhem Lodge No. 35 A.F. & A.M. dated February 11, 1966 and recorded in the Kennebec County Registry of Deeds at Book 1490, Page 257.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said **Kevin Roger Dostie and Jessica Katherine Dostie**, as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, to them and their use and behoof forever.

AND I do **COVENANT** with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all encumbrances except as hereinbefore set forth; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid and that I and my heirs shall and will **WARRANT** and **DEFEND** the same to the said Grantees, their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, **Joseph Gerard Dostie** have hereunto set my hand and seal in release of all rights this 13 day of September in the year two thousand six.

Signed, Sealed and Delivered
in presence of:

Martha Emma Dostie
MARTHA EMMA Dostie

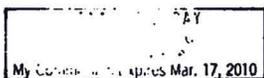
Joseph Gerard Dostie
Joseph Gerard Dostie

STATE OF MAINE, Kennebec, ss.

September 13, 2006

Personally appeared the above named **Joseph Gerard Dostie** and acknowledged the foregoing instrument to be his free act and deed,

Before me,



Jennifer L. Day
Notary Public
Printed Name: March 17, 2010



Received Kennebec SS.
09/13/2006 1:11PM
Pages 2 Attest:
BEVERLY BUSTIN-HATHEWAY
REGISTER OF DEEDS

3.6.3.2 Bridge/Highway Corridor District—Reserved.**3.6.3.3 Highway Overlay Districts—Reserved.**

(1) Urban Highway—Reserve ending over or below the normal high-water line or within a wetland.

Parking facilities. Uses similar to uses requiring a Planning Board permit.

Public hearing not mandatory for the following uses: Use criteria in section 6.3.4 subsection (5)e (i) through (viii):

New essential services. Multiunit residential. New road construction.

(6) STRd.

(2) Rural Highway—Reserved.

3.6.3.4 Capitol View District—Reserved.**3.6.3.5 Historic District—Reserved.****3.6.3.6 Resource Conservation and Use District—Reserved.****3.7 Site Capacity Analysis.**

The site capacity analysis is required in the Planned Development and Rural Districts when utilizing the performance zoning process. *COMMENTARY: This section, applicable to the planned development and four (4) Rural Districts, makes clear that the area of a parcel which is suitable for development is not the same as the gross area of that parcel. The site capacity calculation determines the extent to which a site is developable by "subtracting" land which does not qualify for development for any of a variety of reasons. In the event that a site has no valuable natural resource features, the site capacity or area factor and/or impervious surface factor:*

Access easements and rights-of-ways must be subtracted from gross site area because the land involved is unavailable for development.

Noncontiguous land consists of areas which are effectively isolated and therefore unavailable for the purpose related to the proposed use. For example, if a portion of the parcel is effectively inaccessible from the remainder of the parcel and therefore not buildable, it should be subtracted from gross site area. If it is large enough to support development independent of the other portion and/or has access to a road, its base site (buildable) area could be calculated separately or could be included in a single, combined calculation.

3.7.1 Base Site Area Calculations (All Land Uses).

TABLE 3.7.1-A

Gross site area as determined by actual on-site survey within last 5 years. 36.59 acres

APPENDIX A—LAND USE ORDINANCE

3.7.2

Subtract land constituting roads and land within rights-of-ways of existing roads and/or access easements. — acres

Subtract land which is not contiguous: (1 and 2)

(1) A separate parcel which does not abut, adjoin, or share common boundaries with the rest of the development. — acres

(2) Land which is cut off from the main parcel by a road, railroad existing land uses, or major stream, such that common use is hindered or that the land is unavailable for building purposes. — acres

Whenever both nonresidential and residential uses are proposed:

Subtract land used or proposed for residential uses OR subtract land proposed for nonresidential use. 31.57
5.02 acres

(Base site area must be calculated for both uses individually)

Subtract any land that consists of floodplain, wetland, lake or pond; associated lands zoned Resource Protection. 1.33 acres
3.69 residential
Equals Base Site Area. 30.24 commercial acres

3.7.2 Determining Site Capacity (Residential).

The individual site capacity is determined by calculating the NET BUILDABLE SITE AREA. For single-family, single-family cluster, or performance subdivisions, the number of dwelling units permitted is determined by multiplying the density factor with the net buildable site area. Calculations are as follows:

TABLE 3.7.2

Take BASE SITE AREA	<u>3.69</u> acres
Multiply by DISTRICT OPEN SPACE RATIO	x <u>0.85</u> acres
Equals MINIMUM REQUIRED OPEN SPACE	= <u>3.14</u> acres
Take BASE SITE AREA	<u>3.69</u> acres
Subtract MINIMUM REQUIRED OPEN SPACE	<u>3.14</u> acres
Equals NET BUILDABLE AREA	= <u>0.55</u> acres
Take NET BUILDABLE AREA	<u>0.55</u> acres
Multiply by District Maximum Density Factor	x <u>4.1</u>
Equals NUMBER OF DWELLING UNITS (Round Down only)	= <u>2</u> units

3.7.3 Determining Site Capacity (All Nonresidential).

Maximum floor area is determined by calculating the net buildable site area. Developable floor area (square feet) is determined by multiplying the floor area factor with the net buildable site area. The maximum impervious surface allowed is determined by multiplying the Impervious Surface Ratio with the Net Buildable Site Area.

TABLE 3.7.3

BASE SITE AREA equals NET BUILDABLE SITE AREA	=	<u>30.24</u>	acres
Take NET BUILDABLE SITE AREA		<u>30.24</u>	acres
Multiply by FLOOR AREA FACTOR	×	<u>.35</u>	
Equals MAXIMUM FLOOR AREA	=	<u>10.58</u>	acres
Take NET BUILDABLE SITE AREA		<u>30.24</u>	acres
Multiply by IMPERVIOUS SURFACE RATIO	×	<u>.5</u>	
Equals MAXIMUM IMPERVIOUS SURFACE	=	<u>15.12</u>	acres

3.7.4 Housing Types Allowed in Performance Subdivisions.

Performance subdivisions may contain one (1) or more housing types. For example, single-family house, lot-line house, duplex, town house, multiplex and multifamily buildings. Such subdivisions shall contain the minimum amount of open space required by the performance standards. Examples of housing types are outlined in the following commentary:

- (1) *Single-family house. This dwelling type consists of a single-family residence including manufactured housing located on a privately owned lot which has private yards on all sides of the house in accordance with the buffer yard table in section 5.1.1.*
- (2) *Lot-line house. This dwelling type consists of a single-family, fully detached residence located on an individual lot which is set on, or within five (5) feet of the side lot line. Windows are prohibited on that wall of the house nearest to the side lot line. Either a five-foot maintenance easement shall be provided on the neighboring property, or the lot-line house may be set back five (5) feet from the line and a recreation, planting, and use easement may be granted to the adjacent lot owner. COMMENTARY: Placing a house against one of the side lot lines makes the remaining side yard more usable and requires less total land than when the house is centered on the lot. Privacy to adjacent units is insured by the prohibition of windows on the wall of the unit closest to the lot line.*
- (3) *Duplex. This dwelling type consists of two (2) units attached side-to-side to one another with each unit having a completely separate entrance.*
- (4) *Town house. This dwelling type consists of a single-family attached unit, with a single unit going from ground to roof, and with individual outside access. Rows of attached town houses shall average no more than ten (10) dwelling units.*

432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

April 17, 2015

Mr. Lionel Cayer
City Engineer
City Center Plaza
16 Cony Street
Augusta, Maine 04330

Subject: Dostie Pit Application
Mt, Vernon Road
Stormwater Impact

Dear Lionel,

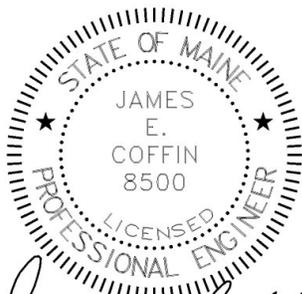
Kevin and Jessica Dostie are filing a Mineral Extraction Application for the purpose of mining their property located on Mt. Vernon Road in Augusta. The property is shown as lots 184 and 184A on Tax Map 5 in the City of Augusta tax map. The only new impervious area creating by the project is the construction of a 400' long haul road off from Mt. Vernon Road.

The entire road (9,600 sf) will drain into freshwater wetlands located along Mt. Vernon Road. The wetlands have little slope and will provide detention for the runoff before exiting the property. Due to the small amount of impervious area and the proximity of the wetlands, we are asking for a waiver in regard to stormwater detention for the proposed project. If you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Respectfully Submitted,

A handwritten signature in black ink that reads "James Coffin".

James E. Coffin, PE



A handwritten signature in black ink that reads "James Coffin", identical to the one above.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

PAUL R. LePAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

April 14, 2015

James Coffin
E.S. Coffin Engineering & Surveying, Inc.
432 Cony Road
Augusta, ME 04330

Re: Rare and exemplary botanical features in proximity to: Project 2015-049, Kevin & Jessica Dostie, Mineral Extraction Licensing, Map 5 Lot 184, Augusta, Maine

Dear Mr. Coffin:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received April 10, 2015 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Augusta, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

Letter to Jim Coffin
Comments RE: Dostie, Augusta
April 14, 2015
Page 2 of 2

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Don Cameron
Ecologist
Maine Natural Areas Program
207-287-8041
don.s.cameron@maine.gov

Project: #2015-049, Kevin & Jessica Dostie, Mineral Extraction Licensing, Map 5 Lot 184, Augusta, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Adder's Tongue Fern						
	SC	S1	G5	1924-07	8	Non-tidal rivershore (non-forested, seasonally wet),Open wetland, not coastal nor rivershore (non-forested, wetland),Old field/roadside (non-forested, wetland or upland)
American Ginseng						
	E	S3	G3G4	1907-07-28	18	Hardwood to mixed forest (forest, upland)
Awned Sedge						
	SC	S2	G5	2012-09-28	11	Non-tidal rivershore (non-forested, seasonally wet)
Bottlebrush Grass						
	SC	S3	G5	1916-08-18	12	Hardwood to mixed forest (forest, upland)
Broad Beech Fern						
	SC	S2	G5	1897-08-30	9	Hardwood to mixed forest (forest, upland)
	SC	S2	G5	1998-06-25	1	Hardwood to mixed forest (forest, upland)
	SC	S2	G5	1895-08-17	12	Hardwood to mixed forest (forest, upland)
Dwarf Bulrush						
	T	S1	G5	2003-10-03	6	Open wetland, not coastal nor rivershore (non-forested, wetland)
Fall Fimbry						
	T	S2S3	G5	2003-10-03	20	Open wetland, not coastal nor rivershore (non-forested, wetland)
Indian Grass						
	E	S1	G5	1933-07-12	9	Non-tidal rivershore (non-forested, seasonally wet)
Kettlehole Bog-pond Ecosystem						
	<null>	S4	GNR	2013	2	Open wetland, not coastal nor rivershore (non-forested, wetland)
Leatherleaf Bog						
	<null>	S4	G5	1997-09-16	9	Open wetland, not coastal nor rivershore (non-forested, wetland),Coastal non-tidal wetland (non-forested, wetland)
Lopseed						

Project: #2015-049, Kevin & Jessica Dostie, Mineral Extraction Licensing, Map 5 Lot 184, Augusta, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Mountain Honeysuckle	PE	SH	G5	1916-08	4	Non-tidal rivershore (non-forested, seasonally wet),Hardwood to mixed forest (forest, upland)
Northern Hardwoods Forest	E	S2	G5	1975-pre	1	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
Raised Level Bog Ecosystem	<null>	S5	G3G5	1998-06-25	4	Hardwood to mixed forest (forest, upland)
Sandbar Willow	<null>	S4	GNR	2004	4	Forested wetland,Open wetland, not coastal nor rivershore (non-forested, wetland)
Showy Lady's-slipper	E	S1	G5	2012-09-28	4	Non-tidal rivershore (non-forested, seasonally wet)
Showy Orchis	T	S3	G4	1903-06	33	Forested wetland,Open wetland, not coastal nor rivershore (non-forested, wetland)
	T	S3	G4	1874-07-04	36	Forested wetland,Open wetland, not coastal nor rivershore (non-forested, wetland)
	E	S1	G5	1941	15	Hardwood to mixed forest (forest, upland)
	E	S1	G5	1915-08-12	12	Hardwood to mixed forest (forest, upland)
Stiff Arrowhead	T	S2	G5	2002-08-03	12	Tidal wetland (non-forested, wetland)
White Adder's-mouth	E	S1	G5	1878-06	15	Forested wetland
Wild Chervil	PE	SH	G5	1916-08-18	3	Hardwood to mixed forest (forest, upland)

STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- SNR** Not yet ranked.
- SNA** Rank not applicable.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered and Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

- E** ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

- SC** SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

ELEMENT OCCURRENCE RANKS - EO RANKS

Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size**: Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition**: For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context**: Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/dacf/mnap>