

Topsham Code, Chapter 225§57(D)

Performance standards.

(1) No part of any extraction operation shall be permitted within 300 feet of any property or street line, except that drainageways to reduce runoff into or from the extraction area may be allowed up to 100 feet of such line. Natural vegetation shall be left and maintained on the undisturbed land.

(2) If any standing water accumulates, the site must be fenced in a manner adequate to keep children out. Measures shall be taken to prevent or halt the breeding of insects.

(3) No slopes steeper than three feet horizontal to one foot vertical, with the exception of the shoreland zone where no slopes may be greater than two to one (2:1), shall be permitted at any extraction site unless a fence at least six feet high is erected to limit access to such locations.

[Amended 5-20-1992 ATM, Art. 23; 6-1-1993 STM, Art. 20]

(4) Before commencing removal of any earth materials, the owner or operator of the extraction site shall present evidence to the Planning Board of adequate insurance against liability arising from the proposed extraction operations, and such insurance shall be maintained throughout the period of operation.

(5) Any topsoil and subsoil suitable for purposes of revegetation shall, to the extent required for restoration, be stripped from the location of extraction operations and stockpiled for use in restoring the location after extraction operations have ceased. Such stockpiles shall be protected from erosion, according to the erosion prevention performance standards of this section.

(6) Sediment shall be trapped by diversions, silting basins, terraces and other measures designed by a professional engineer.

(7) The sides and bottom of cuts, fills, channels and artificial watercourses shall be constructed and stabilized to prevent erosion or failure. Such structures are to be designed and built according to the Maine Soil and Water Conservation Commission, Technical Guide, Standards and Specifications.

(8) Lagooning shall be conducted in such a manner as to avoid creation of fish trap conditions. The applicant shall submit written approval from the Department of Marine Resources and Department of Inland Fisheries and Wildlife as applicable, prior to consideration by the Planning Board.

(9) The hours of operation at any extraction site shall be limited as the Planning Board deems advisable to ensure operational compatibility with residents of the town.

(10) Where loads may be prone to blowing or spills, loaded vehicles shall be suitably covered to prevent dust and contents from spilling or blowing from the load, and all trucking routes and methods shall be subject to approval by the Director of Public Works.

(11) All access/egress roads leading to/from the extraction site to public ways shall be treated with suitable materials to reduce dust and mud for a distance of at least 100 feet from such public ways.

(12) No equipment debris, junk or other material shall be permitted on an extraction site except those directly related to active extraction operations, and any temporary shelters or buildings erected for such operations and equipment used in connection therewith shall be removed within 30 days following completion of active extraction operations.

(13) Within six (6) months of the completion of extraction operations at any extraction site or any one (1) or more locations within any extraction site, ground levels and grades shall be established in accordance with the approved plans filed with the Planning Board so that:

(a) All debris, stumps, boulders and similar materials shall be removed and disposed of in an approved location or, in the case of inorganic materials, buried and covered with a minimum of two (2) feet of soil.

(b) The extent and type of fill shall be appropriate to the use intended. The applicant shall specify the type and amount of fill to be used.

(c) Storm drainage and watercourses shall leave the location at the original natural drainage points and in a manner such that the amount of drainage at any point is not significantly increased.

(d) At least four (4) inches of topsoil or loam shall be retained or obtained to cover all disturbed areas, which shall be reseeded and properly restored to a stable condition adequate to meet the provisions of the Environmental Quality Handbook, Erosion and Sediment Control, as amended or revised, published by the Maine Soil and Water Conservation Commission.