

DECLARATION OF RESTRICTIONS

(Forested Buffer/Conservation Area - Limited Disturbance)

THIS DECLARATION OF RESTRICTIONS is made this _____ day of _____, Year of 2022 by HOU Enterprises, LLC at HOU Auto Sales, 991 Augusta Road, Belgrade, Kennebec County, Maine (herein referred to as the "Declarant"), pursuant to a permit received from the Belgrade Planning Board, to preserve a buffer area on a parcel of land located at _____, Belgrade, Kennebec County, Maine.

WHEREAS, the Declarant holds title to certain real property situated in Belgrade, Maine described in a deed recorded in Book _____ Page _____ at the Kennebec County Registry of Deeds, herein referred to as the "property"; and

WHEREAS, Declarant desires to place certain restrictions, under the terms and conditions herein, over a portion of said real property (hereinafter referred to as the "Restricted Buffer and Conservation Area") described as follows:

[INSERT BOUNDARY DESCRIPTION]

WHEREAS, pursuant to the Town of Belgrade Commercial Development Ordinance, Declarant has agreed to impose certain restrictions on the Restricted Buffer and Conservation Area as more particularly set forth herein and has agreed that these restrictions may be enforced by the Town of Belgrade (hereinafter called "the Town").

NOW, THEREFORE, the Declarant hereby declares that the Restricted Buffer and Conservation Area is and shall forever be held, transferred, sold, conveyed, occupied and maintained subject to the conditions and restrictions set forth herein. The Restrictions shall run with the Restricted Buffer and Conservation Area and shall be binding on all parties having any right, title or interest in and to the Restricted Buffer and Conservation Area, or any portion thereof, and their heirs, personal representatives, successors, and assigns. Any present or future owner or occupant of the Restricted Buffer and Conservation Area or any portion thereof, by the acceptance of a deed of conveyance of all or part of the Covenant Area or an instrument conveying any interest therein, whether or not the deed or instrument shall so express, shall be deemed to have accepted the Restricted Buffer and Conservation Area subject to the Restrictions and shall agree to be bound by, to comply with and to be subject to each and every one of the Restrictions hereinafter set forth.

1. Restrictions on Restricted Buffer and Conservation Area. Unless the owner of the Restricted Buffer and Conservation Area, or any successors or assigns, obtains the prior written approval of the Town, the Restricted Buffer and Conservation Areas must remain undeveloped in perpetuity. To maintain the ability of the Restricted Buffer and Conservation Area to filter and absorb stormwater, the use of the Restricted Buffer and Conservation Area is hereinafter limited as follows.

a. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants or other fill material may be placed, stored or dumped on the Restricted Buffer and Conservation Area, nor may the topography of the area be altered or manipulated in any way;

b. Any removal of trees or other vegetation within the Restricted Forested Buffer must be limited to the following:

(1) No purposefully cleared openings may be created and an evenly distributed stand of trees and other vegetation must be maintained. An "evenly distributed stand of trees and other vegetation" is defined as maintaining a minimum rating score of 12 points in any 25 foot by 25 foot square (625 square feet) area where not in the Deer Wintering Area. Rating scores shall be determined by the following rating scheme:

<u>Diameter of tree at 4½ feet above ground level</u>	<u>Points</u>
2 - 4 inches	1
4 - 12 inches	2
>12 inches	4

Where existing trees and other vegetation result in a rating score less than 12 points in wooded buffer area, no trees may be cut or sprayed with biocides except for the normal maintenance of dead, windblown or damaged trees and for pruning of tree branches below a height of 12 feet provided two thirds of the tree's canopy is maintained;

(2) No undergrowth, ground cover vegetation, leaf litter, organic duff layer or mineral soil may be disturbed except that one winding path, that is no wider than six feet and that does not provide a downhill channel for runoff, is allowed through the area.

(3) Within the Conservation Area prior to any timber harvesting, a Forestry Plan must be prepared by a Maine State Licensed Forester and the plan must be submitted to and approved by the Maine DEP and the Maine Dept. of Inland Fisheries and Wildlife.

c. No building, sign, fence, utility pole, or other temporary or permanent structure may be constructed, placed or permitted to remain on the Restricted Buffer and Conservation Area;

d. No trucks, cars, dirt bikes, ATVs, bulldozers, backhoes, or other motorized vehicles or mechanical equipment may be permitted on the Restricted Buffer and Conservation Area;

e. Any level spreader directing flow to the Restricted Buffer and Conservation Area must be regularly inspected and adequately maintained to preserve the function of the level spreader. Any activity on or use of the Restricted Buffer and Conservation Area inconsistent with the purpose of these Restrictions is prohibited. Any future alterations or changes in use of the Restricted Buffer and Conservation Area must receive prior approval in writing from the Town. The Town may approve such alterations and changes in use if such alterations and uses do not impede the stormwater control and treatment capability of the Restricted Buffer Area or if adequate and appropriate alternative means of stormwater control and treatment are provided, or if adequate and appropriate alternative mitigation measures are provided.

2. Enforcement. The Town may enforce any of the Restrictions set forth in Section 1 above.

3. Binding Effect. The restrictions set forth herein shall be binding on any present or future owner of the Restricted Buffer and Conservation Area. If the Restricted Buffer and Conservation Area is at any time owned by more than one owner, each owner shall be bound by the foregoing restrictions to the extent that any of the Restricted Buffer and Conservation Area is included within such owner's property.

4. Amendment. Any provision contained in this Declaration may be amended or revoked only by the recording of a written instrument or instruments specifying the amendment or the revocation signed by the owner or owners of the Restricted Buffer and Conservation Area and by the Town.

5. Effective Provisions of Declaration. Each provision of this Declaration, and any agreement, promise, covenant and undertaking to comply with each provision of this Declaration, shall be deemed a land use restriction running with the land as a burden and upon the title to the Restricted Buffer and Conservation Area.

6. Severability. Invalidity or unenforceability of any provision of this Declaration in whole or in part shall not affect the validity or enforceability of any other provision or any valid and enforceable part of a provision of this Declaration.

7. Governing Law. This Declaration shall be governed by and interpreted in accordance with the laws of the State of Maine.

(NAME)

STATE OF MAINE

Kennebec, ss _____, 2022.
(County)

Personally appeared before me the above named , who swore to the truth of the foregoing to the best of (his/her) knowledge, information and belief and acknowledged the foregoing instrument to be (his/her) free act and deed.

Notary Public

Randy Butler

From: McCaskill, David <David.McCaskill@maine.gov>
Sent: Wednesday, October 26, 2022 2:26 PM
To: Randy Butler
Subject: FW: 991 Augusta Road, Belgrade

Randy,

This was our response the last time the subject of this facility came up.

David

W. David McCaskill, P.E.
Senior Environmental Engineer in Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
Desk/Cell Phone:207-592-8054
www.maine.gov/dep

From: McCaskill, David
Sent: Wednesday, March 24, 2021 5:56 PM
To: gfuller@townofbelgrade.com
Cc: Mitnik, Enid <Enid.Mitnik@maine.gov>; Jeff <mycars207@gmail.com>
Subject: 991 Augusta Road, Belgrade

Gary,

This e-mail is in reference to the property at 991 Augusta Road in Belgrade which Jeff Mongeau is under contract to purchase for the operation of a used car dealership and possible operation of an automobile maintenance garage. As the Town of Belgrade Code Enforcement Officer you requested a response to the question of whether the Department rules, Chapter 700: Wellhead Protection : Siting of Facilities that Pose a Significant Threat to Drinking Water applies to this facility. This rule restricts the siting of certain types of facilities within 300 feet of a private water supply and over mapped significant high yield aquifers. Based on your knowledge of the case, the rule would not apply to this facility since these activities were either in existence or under construction on September 30, 2008 (the date when the rule became effective). Based on the information and site history supplied by you and the prior owners, this facility has been operating as an automotive maintenance garage since 2004 prior to the effective date in 2008. The Department does not believe that the rule applies. This determination is based upon the Department's understanding of the use of the property prior to the 2008 effective date of this rule.

It is the Department's strong recommendation that any oil storage , such as , for lubricant and or waste oil drums be storage inside when possible on drum storage containment pallets or securely covered containment pallets outside and

that all hazardous/flammable sprays cans and small containers be stored in listed flammable storage cabinets. We also recommend that any floor drains, if any , are plugged to prevent accidently discharge to the groundwater or surface water. I have included Enid in this e-mail who administered the program that deals with floor drains and can assist you if there is indeed an existing floor drain.

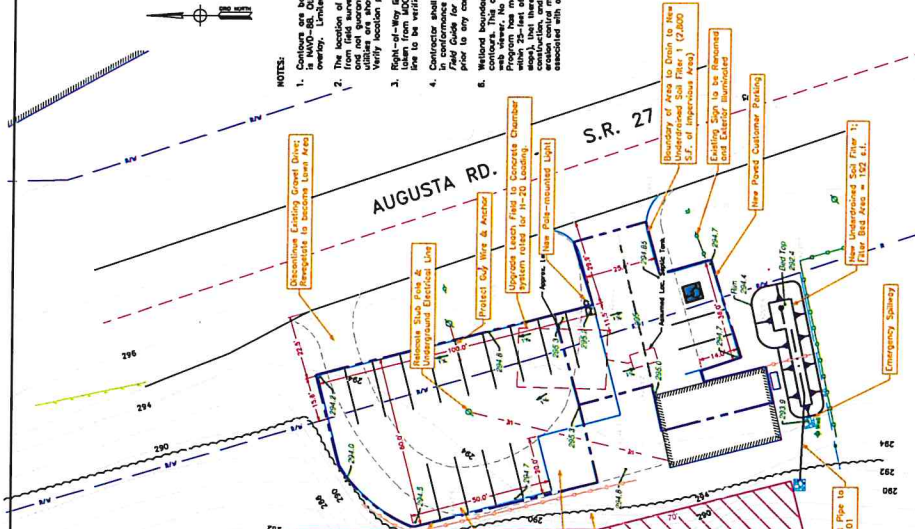
I hope this helps,

W. David McCaskill, P.E.
Senior Environmental Engineer in Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
Desk/Cell Phone:207-592-8054
www.maine.gov/dep

- LEGEND**
- ▲ SURVEY STATION
 - BENCHMARK
 - UTILITY POLE
 - PROPERTY LINE
 - EASEMENT
 - EROSION CONTROL
 - EXISTING CONTOUR
 - PROPOSED CONTOUR
 - PROPOSED SPOT ELEVATIONS
 - PROPOSED EROSION CONTROL FENCE
 - PROPOSED EDGE OF DRAINAGE
 - PROPOSED CLEANING LIFT

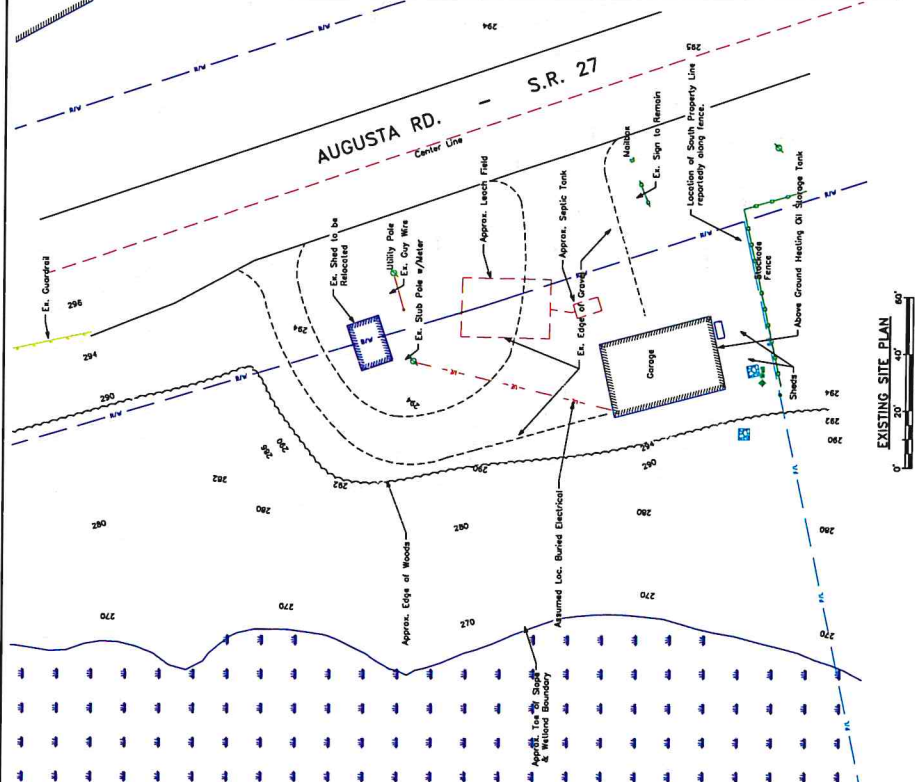
NOTES:

1. Contours are based on LDM from holes drilled at C&E Vertical datum in 1970-80. Other feature locations are based on aerial imagery survey. Limited topographic survey was performed.
2. The location of the existing utilities shown on the plans were completed and not guaranteed to be accurate nor is it guaranteed that all utilities are shown. The location is based on HEC-200 forms. Verify location prior to construction.
3. Right-of-way lines and property lines shown on the drawings are taken from MDT Right-of-Way Plan dated 1/30/01. Location of such lines to be verified prior to construction.
4. Contractor shall determine, locate, and mark all existing Erosion Control Measures (ECM) and Erosion Control Structures (ECS) and install them prior to any construction work.
5. Erosion boundary is assumed to be at toe of slope indicated by color web-viewer. No field adjustment completed. Above Redford Area within 25-foot of the natural edge of the property (for those areas where erosion control measures to prevent, attenuate and contribute to runoff reduction will contribute to it into the pasture).

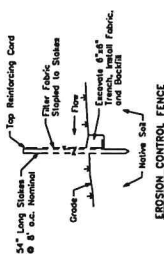
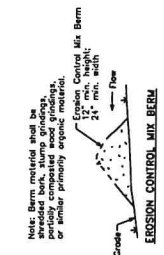


PROPOSED SITE PLAN
Scale: 0' 20' 40' 80'

Inclusive Area Measurements including driveway to edge of road pavement:
Existing = 2,002 s.f.
Proposed = 2,200 s.f.



EXISTING SITE PLAN
Scale: 0' 20' 40' 80'



FOR PERMITTING PURPOSES ONLY
- NOT FOR CONSTRUCTION -

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10
DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY	FIELD BY	PROJECT	HOU ENTERPRISES, LLC 2 CHERYL ST., ORONO, MAINE 04473 HOU AUTO SALE 691 AUGUSTA ROAD, BELLEVILLE, MAINE PRELIMINARY SITE PLAN			
REVIEW COPY ONLY NOT FOR CONSTRUCTION									



Maine Department of Transportation

Janet T. Mills
Governor

Driveway/Entrance Permit

Bruce A. Van Note
Commissioner

Permit Number: 33801 - Entrance ID: 1

	OWNER	
Name:	HOU Enterprises, LLC (Matthias Staalsoe)	
Address:	2 Crosby Street Orono, ME 04473	
Telephone:	(860)318-5337	

Date Printed: **November 02, 2022**

	LOCATION	
Route:	0027X, Augusta Road	
Municipality:	Belgrade	
County:	Kennebec	
Tax Map:	7 Lot Number: 61A	
Culvert Size:	0 inches	
Culvert Type:	N/R	
Culvert Length:	0 feet	
Date of Permit:	November 02, 2022	
Approved Entrance Width:	25 feet	

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, **an Entrance to Commercial Industrial** at a point **740 feet North** from **Route 8**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

Conditions of Approval:

This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(G = GPS Location; W = Waiver; S = Special Condition)

G - THE ENTRANCE SHALL BE LOCATED AT GPS COORDINATES: 44.466060N, -69.832380W.

W - NO PARKING WITHIN TWENTY-TWO (22) FEET FROM THE EDGE OF THE PAVED SHOULDER.

W - THIS SHALL BE THE ONLY ENTRANCE TO THIS LOT AS IT EXISTED ON MAY 25, 2002 AND PARTS THEREOF.

W - THE ENTRANCE INCLUDING ALL RADII MUST BE PAVED FROM THE EDGE OF PAVEMENT OF THE HIGHWAY TO THE HIGHWAY RIGHT OF WAY OR TO THE LENGTH OF THE DESIGN VEHICLE, WHICHEVER IS GREATER.

S - THE ENCLOSED NOTICE OF AUTHORIZATION TO PROCEED MUST BE POSTED IN A LOCATION CLEARLY VISIBLE FROM THE ROADWAY FROM AT LEAST 24 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION TO ONE MONTH AFTER THE CONCLUSION OF THE CONSTRUCTION.

S - OWNER IS RESPONSIBLE FOR ANY AND ALL CULVERT(S) AND MUST DITCH TO ENSURE WATER FLOWS ADEQUATELY THRU CULVERT(S) AND AT NO TIME ALLOW WATER TO FLOW INTO OR ONTO THE HIGHWAY.

The MaineDOT has determined that:

1. The waiver will not significantly detract from public safety,
2. The proposed driveway/entrance meets the standards to the maximum extent practicable, and
3. There is no feasible alternative.

A notarized, written waiver determination has been sent to the owner. The owner shall record the waiver determination in the Registry of Deeds in the County in which the property is located within 90 days of the date of the waiver, or the waiver will be null and void and the permit will expire.

Approved by:  Date: 11/9/22

STANDARD CONDITIONS AND APPROVAL

1. Provide, erect and maintain all necessary barricades, lights, warning signs and other devices as directed by MaineDOT to properly safeguard traffic while the construction is in progress.
2. At no time cause the highway to be closed to traffic
3. Where the driveway is located within a curb, curb and gutter, and/or sidewalk section, completely remove the existing curb, curb and gutter, and/or sidewalk as may be required to create the driveway and restore drainage. All driveways abutting sidewalk sections shall meet the requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131 et seq.
4. Obtain, have delivered to the site, and install any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit pursuant to 23 M.R.S.A. Sec. 705. All culverts and/or drainage structures shall be new.
5. Start construction of the proposed driveway within twenty-four (24) months of the date of permit issuance and substantially complete construction of the proposed driveway within twelve months of commencement of construction.
6. Comply with all applicable federal, state and municipal regulations and ordinances.
7. Do not alter, without the express written consent of the MaineDOT, any culverts or drainage swales within the MaineDOT right of way.
8. File a copy of the approved driveway permit with the affected municipality or LURC, as appropriate within 5 business days of receiving the MaineDOT approval.
9. Construct and maintain the driveway side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.
10. Notify the MaineDOT of a proposed change of use served by the driveway when increase in traffic flow is expected to occur. This does not exempt the need for obtaining a Traffic Movement Permit (TMP) if trip generation meets or exceeds 100 passenger car equivalents (PCE) during the peak hour of the day.
11. Construct or implement and maintain erosion and sedimentation measures sufficient to protect MaineDOT facilities.
12. Driveways shall be designed such that all maneuvering and parking of any vehicles will take place outside the highway right-of-way and where vehicles will exit the premises without backing onto the highway traveled way or shoulders. All driveways will have a turnaround area to accommodate vehicles using the premises.
13. Closing any portion of a highway or roadway including lanes, shoulders, sidewalks, bike lanes, or ATV access routes is not permitted without MaineDOT approval.

FURTHER CONDITION OF THE PERMIT

The owner shall assume, the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and safe harmless said Department, its representatives, agents and employees from liability, actions against all suits, claims, damages for wrongful death, personal injuries or property damage suffered by any person or association which results from the willful or negligent action or inaction of the owner/applicant (agent) and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal.

Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the MaineDOT, their officers, agents or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law. It is a further condition that the owner will agree to keep the right of way inviolate for public highway purposes and no signs (other than traffic signs and signals), posters, billboards, roadside stands, culvert end walls or private installations shall be permitted within Right of Way limits.

Attachment Q Revised

Stormwater Management & Phosphorus Removal Plan

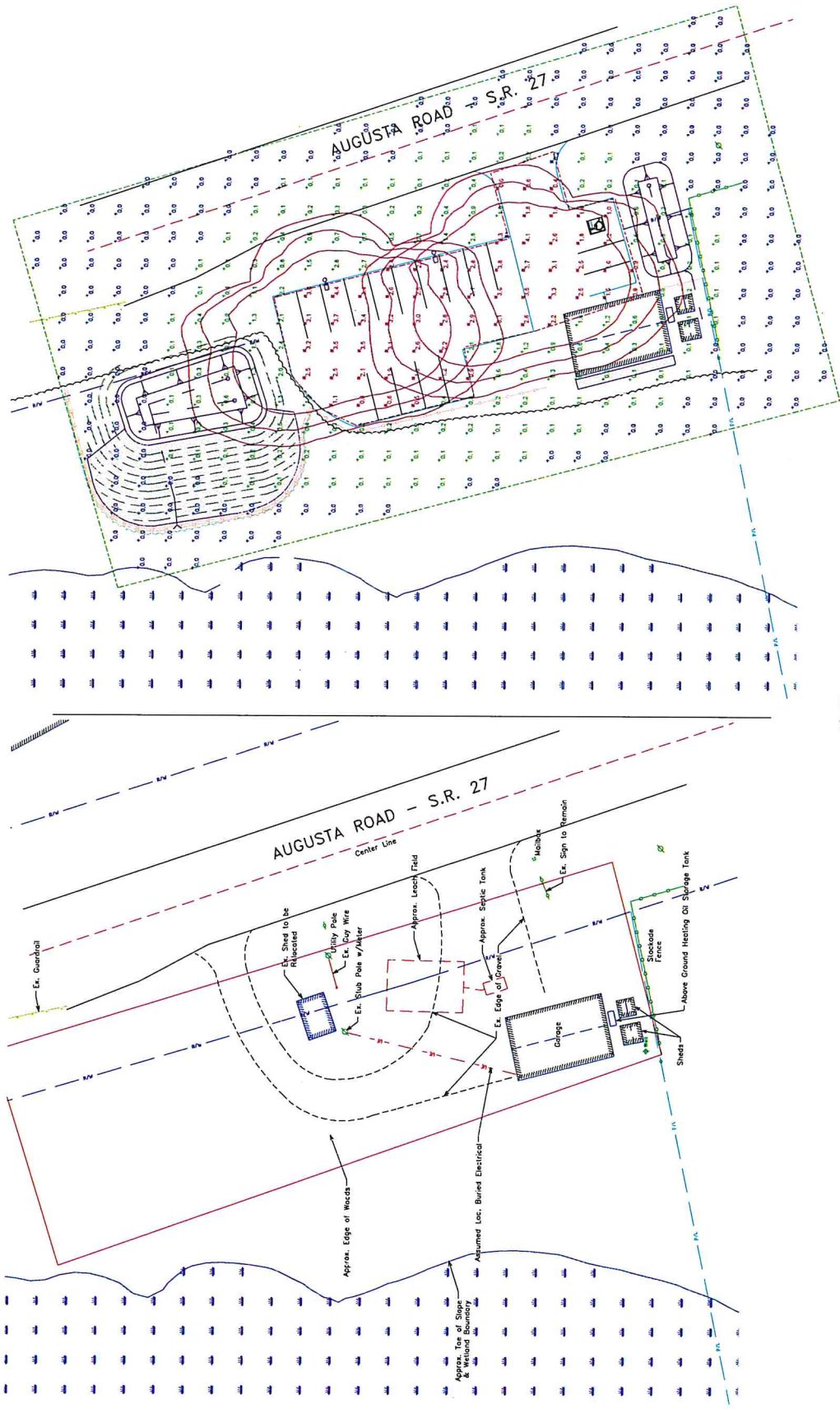
Aerial imagery indicates that the developed portion of the site goes back to at least 1974 (see photo this section). Based on the information and site history supplied to Maine DEP by the former CEO and the prior owners, this facility has been operating as an automotive maintenance garage since 2004. (See in Attachment J.) This consists of a 26'x40' garage, 3 sheds, and a gravel yard and loop driveway. There are currently no stormwater management or phosphorus removal measures in place.

Proposed development will retain the garage and enlarge the gravel yard to meet Maine's requirement of 5,000 s.f. of display area for used auto sales. Three parking spaces will be added for customers. Current impervious area is approximately 7,100 s.f. The total impervious area following improvement is 9,900 s.f., resulting in a net increase of 2,800 s.f. of impervious area.

Stormwater treatment and phosphorus removal for the southerly 3,200 s.f. of impervious area will be accomplished by use of Underdrained Soil Filter #1 (USF-1) sized according to Maine DEP standards. Treatment of the remaining developed area will be accomplished according to the Town's "Simplified Phosphorous Method." This will consist of a 50' wide x 180' wooded buffer along the west side of the existing garage and parking area.

The pages below include the following information.

- Underdrained Soil Filter Calculations
- Conservation Easement for Forested Buffer
- Inspection & Maintenance Plan
- Inspection & Maintenance Log
- 1974 Aerial Photo showing developed area

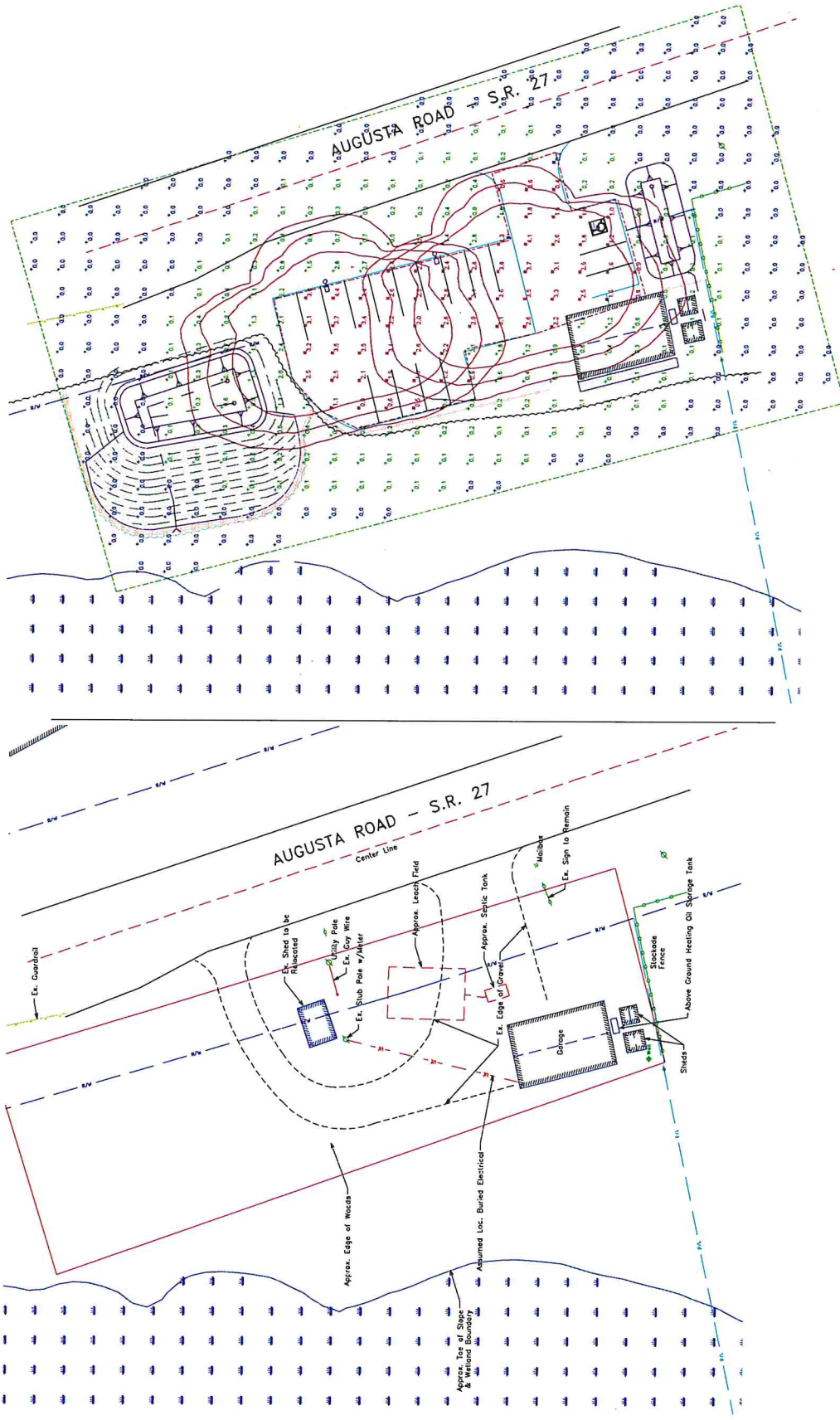


Plan View
Scale: 1" = 25'

Symbol	Label	Image	Quantity	Manufacturer	Category Number	Description	Number of Lamps	Lumen Per Lamp	Light Loss Factor	Wattage	Notes
□	S1		1	Ubolux Lighting	0200 LED R4 4x 1774 HCOLT with HOVET P5 61 pole grade	0200 LED R4 4x 1774 HCOLT with household head	1	11485	0.9	134	Max: 10115cd

Description	Symbol	Avg	Max	Min	Max/Min Avg/Min
Overall Calc	+	0.5 FC	4.4 FC	0.0 FC	N/A
Parking and Entrance Areas	X	2.4 FC	4.4 FC	0.2 FC	22.0:1
					12.0:1





Plan View
 Scale: 1" = 25'

Symbol	Label	Image	Quantity	Manufacturer	Category Number	Description	Number of Poles	Lumen Output	Light Pole Height	Wattage	File
[Symbol]	S1		2	Ultrama Lighting	DDSO LED Pk 40x T7H 10000 Lumen @ 10' pole ground	DDSO LED Pk 40x T7H houseside field	1	12000	01'	134	Mar:10116d

Description	Symbol	Avg	Max	Min	Max/Min Avg/Min
Overall Calc	+	0.5 fc	4.4 fc	0.0 fc	N/A
Parking and Entrance Areas	X	2.4 fc	4.4 fc	0.2 fc	22.0:1
					12.0:1

Randy Butler

From: Reeves, Brian J <Brian.J.Reeves@maine.gov>
Sent: Friday, November 4, 2022 12:56 PM
To: Randy Butler; Rodrigue, Randy
Subject: RE: Entrance Permit for Staalsoe / HOU Enterprises Belgrade

Randy,

Are the shrubs a request from the planning board? I prefer to keep thing out of the ROW and especially the clear zone. The reality is once vegetation reaches 4" diameter it can be considered a DFO. Shrubs are not something we tend to pursue violations on, but we have also had 3 violations on the stretch of Rt 27 between Rt 8 and Cemetery Rd, off which we have only been able to resolve 1. The Town seems to take little interest in our concern in these matters.

To answer the questions from you previous email regarding surplus property I cannot provide and estimate of the property value. The Property Office would ask for "fair market value" and a commitment to purchase the property before they will order an appraisal.

Brian Reeves, P.E.
Region Engineer
M&O Midcoast Region
Office: (207) 624-8224
Email: brian.j.reeves@maine.gov

From: Randy Butler <rbutler@dirigoengineering.com>
Sent: Friday, November 4, 2022 7:39 AM
To: Reeves, Brian J <Brian.J.Reeves@maine.gov>; Rodrigue, Randy <Randy.Rodrigue@maine.gov>
Subject: RE: Entrance Permit for Staalsoe / HOU Enterprises Belgrade

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Randy and Brian:

We met with the planning board last night and had better direction on some issues. I was able to reconfigure the underdrained soil filter basin and get it outside of the right-of-way. We may still pursue purchasing a strip of land, but for now, let's go with the attached revised plan.

Another question that was raised is would MDOT allow shrubs to be planted along the edge of the parking lot within the R/W. We're thinking one every 15'-20', not to grow more than 5' high so that it doesn't become a danger. Please advise.

I need to resubmit to the PB by next Wednesday, so it would be great if you can wrap up the entrance permit. Thank you for your time in reviewing this.

Regards,

Randy Butler, P.E.
Senior Project Engineer

DIRIGO ENGINEERING
2 Dirigo Drive Fairfield ME 04937
Office: 207-453-2401 x209

Mobile: 207-314-7305

From: Reeves, Brian J <Brian.J.Reeves@maine.gov>
Sent: Thursday, November 3, 2022 3:30 PM
To: Randy Butler <rbutler@dirigoengineering.com>; Rodrigue, Randy <Randy.Rodrigue@maine.gov>
Subject: RE: Entrance Permit for Staalsoe / HOU Enterprises Belgrade

Randy,

If the need for use of this property is prohibitive to the development then your client could pursue purchase of surplus property from the State. From what I can see the State could potentially surplus ~10' of the 60' ROW. We have already given leeway for the parking area, but I prefer to keep retention ponds and other "structures" out of the ROW as we are not in an area where I can grant a license or waiver.

Brian Reeves, P.E.
Region Engineer
M&O Midcoast Region
Office: (207) 624-8224
Email: brian.j.reeves@maine.gov

From: Randy Butler <rbutler@dirigoengineering.com>
Sent: Thursday, November 3, 2022 11:01 AM
To: Rodrigue, Randy <Randy.Rodrigue@maine.gov>
Cc: Reeves, Brian J <Brian.J.Reeves@maine.gov>
Subject: RE: Entrance Permit for Staalsoe / HOU Enterprises Belgrade

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That's going to be a challenge on this tight lot. The "pond" is only 2' deep with 3:1 slopes...no worse than any ditch or driveway entrance along the road. Any chance you can reconsider?

Thanks.

Randy

From: Rodrigue, Randy <Randy.Rodrigue@maine.gov>
Sent: Thursday, November 3, 2022 8:34 AM
To: Randy Butler <rbutler@dirigoengineering.com>
Cc: Reeves, Brian J <Brian.J.Reeves@maine.gov>
Subject: RE: Entrance Permit for Staalsoe / HOU Enterprises Belgrade

Hi Randy, We will want the entire retention pond outside of the Right of Way (60' from centerline) please send a revised plan and we will get the permit issued

From: Allen, David (DOT) <David.Allen@maine.gov>
Sent: Tuesday, October 25, 2022 3:03 PM
To: Rodrigue, Randy <Randy.Rodrigue@maine.gov>
Subject: FW: Entrance Permit for Staalsoe / HOU Enterprises Belgrade

From: Randy Butler <rbutler@dirigoengineering.com>
 Sent: Tuesday, October 18, 2022 3:54 PM
 To: Allen, David (DOT) <David.Allen@maine.gov>
 Cc: 'matthias staaloe' <Matthias1410@live.dk>
 Subject: Entrance Permit for Staaloe / HOU Enterprises Belgrade

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Dave:

On the entrance permit app I sent the other day, I just realized I didn't include calcs for clear zone. The closest edge of the proposed parking lot is 22' from shoulder, 30' from travel way. According to the chart below, all we need is 12'

All Interstate roadways shall have a 30' minimum clear zone

Clear Zone Offset Table for Corridor Priority 1 and 2
 New Construction/Reconstruction/Rehabilitation

Priority 2, 40 mph
 AADT = 4261

Speed	25-30 #	35-40 #	45-50	55+
AADT 0-2000	10'	10'	12'	15'
2001-6000	10'	12'	14'	18'
>6000	10'	12'	18'	20'

Best regards,

Randy Butler, P.E.
 Senior Project Engineer

DIRIGO ENGINEERING

2 Dirigo Drive Fairfield ME 04937

Office: 207-453-2401 x209

Mobile: 207-314-7305

HOU Enterprises, LLC
Housekeeping & Spill Prevention Plan
for
HOU Auto Sales
Belgrade, Maine

November 2022

HOUSEKEEPING MEASURES

The following measures shall be incorporated in the operation of the facility:

- No floor drains;
- All handling of fluids to occur inside building;
- All storage of fluids drained from automobile to occur inside building;
- All storage of hazardous materials and hazardous wastes to occur inside building;
- All disassembly of vehicles to occur inside building; and
- Paint fume hood to exhaust vertically and through a roof.

SPILL PREVENTION AND RESPONSE

1. Discharge Prevention

Employees shall be trained to implement spill prevention practices for work with and around oil and other fluids sources. Personnel shall use common sense and rely on spill prevention practices at all times to minimize the potential for a release of fluids.

For example, the following “common sense” practices are recommended:

- ◆ containers larger than 5 gallons shall be kept on a spill containment pallet that has a capacity 20% greater than the container’s volume.
- ◆ keep container lids securely fastened at all times;
- ◆ do not leave portable sources unattended (outside);
- ◆ return portable sources to their storage location after use;
- ◆ use pads, drip pans, and funnels when transferring petroleum products from a portable container;
- ◆ protect oil sources from damage by moving equipment;

2. Inspecting Drums, Piping and Dispensing Systems

Facility personnel periodically inspect drums during operating hours. The drums shall be inspected monthly. Spill response kits kept on site shall also be checked during the monthly drum inspection, and restocked as necessary. The monthly inspection reports shall be kept for at least three years in a file maintained by the Facility Manager.

Inspections of the drums shall include observations of the following:

- ◆ exterior of the drum for signs of deterioration or spills (leaks)

3. Drum and Equipment Maintenance

All drum and piping problems shall be immediately reported to the Facility Manager. Visible fuel spills (leaks) that cause a loss of fuel from drum walls, piping or other components shall be repaired or replaced as soon as possible to prevent the potential for a major spill from the source.

4. Training

The Owner shall provide spill training for personnel involved with handling petroleum products. The Facility Manager shall arrange for annual training, which shall include the following training topics:

- ◆ an introduction to pollution control laws;
- ◆ rules and regulations pertaining to the use and storage of petroleum products;
- ◆ inspection, operation and maintenance of spill equipment, and petroleum storage and dispensing equipment;
- ◆ spill response and cleanup;
- ◆ spill notification and record keeping; and
- ◆ spill prevention practices.

Records of attendance at training and topics covered shall be maintained by the Facility Manager.

5. Emergency Response

This section describes the cleanup response and protocols to follow in the event of an oil spill. The uncontrolled discharge of oil to groundwater, surface water or soil is prohibited by State or Federal laws. It is imperative that action be taken to respond to a spill once it has occurred.

A. Minor Spill Response

A "Minor Spill Response" is defined as one that poses no significant harm to human health or the environment. These spills involve generally less than 5 gallons and can usually be cleaned up by personnel. Other characteristics of a minor spill include the following:

- ◆ the spilled material is easily stopped or controlled at the time of the spill;
- ◆ the spill is localized;
- ◆ the spilled material is not likely to reach surface water or groundwater;
- ◆ there is little danger to human health; and
- ◆ there is little danger of fire or explosion.

In the event of a minor spill the following guidelines shall apply:

- ◆ Stop the source if the spill is ongoing.

- ◆ Immediately notify the senior on-site person (i.e., Facility Manager).
- ◆ Call the Maine Department of Environmental Protection (1-800-482-0777) within two hours.
- ◆ Under the direction of a senior on-site person, contain the spill with spill response materials and equipment.
- ◆ Place spill debris in properly labeled waste containers.

B. Major Spill Response (Spill Emergency)

A “Spill Emergency” is defined as one involving a spill that cannot be safely controlled or cleaned up. Characteristics include the following:

- ◆ the spill is large enough to spread beyond the immediate spill area;
- ◆ the spilled material enters surface water or groundwater (regardless of spill size);
- ◆ the spill requires special training and equipment to cleanup;
- ◆ the spilled material is dangerous to human health; and/or
- ◆ there is a danger of fire or explosion.

In the event of a spill emergency, the following guidelines shall apply:

- ◆ Stop the source if the spill is ongoing only if safe to do so.
- ◆ All workers shall immediately evacuate the spill site and move to a safe distance away from the spill.
- ◆ A senior on-site person shall call for medical assistance if workers are injured (no worker shall engage in rescue operations unless they have been properly trained and equipped).
- ◆ A senior on-site person shall immediately contact the Maine Department of Environmental Protection (1-800-482-0777) and the National Response Center (1-800-424-8802).
- ◆ Notify the local Fire Department or Police Department.
- ◆ A senior on-site person shall contact the Facility Manager and provide details regarding the spill.
- ◆ The Facility Manager will coordinate cleanup and seek assistance from a cleanup contractor as necessary.

C. Waste Disposal

Non-hazardous wastes resulting from a minor spill response will be containerized in impervious bags, drums or buckets. Unsaturated fuel spill cleanup debris will be disposed of as special waste by a licensed waste hauler within two weeks. Any saturated fuel spill cleanup debris or recovered free product will be stored in drums and either re-used as fuel or disposed of properly.

Wastes resulting from a major spill response will be removed and disposed by a cleanup contractor.

Emergency Contacts

Spill Reporting Hotlines

Agency	Telephone #
Maine Department of Environmental Protection Oil Spill Response	1-800-482-0777
National Response Center USCG/USEPA	1-800-424-8802

Local Emergency Agencies

Agency	Telephone #
Belgrade Fire Department	or 911
Kennebec County Sheriff	or 911

Spill Response Contractors

A current list of spill response contractors can be found on the internet at www.cleanupoil.com/maine/

Company/Location	Telephone #
ACV Enviro Skowhegan, ME 04976 www.acvenviro.com	(800)777-4557 (207)474-0530
Clean Harbors Environmental Services, Inc. Hampden ME 04444 www.cleanharbors.com	(800) 645-8265 (Emergency Response Line) (207) 262-9504 (Hampden)
Environmental Projects, Inc. Auburn, ME	(207)786-7390
US Ecology South Portland, ME 04106 www.usecology.com	(207)878-3031

Monthly Inspection Report

Drum/Product Capacity	Drum 1 55 gals. Waste Oil	Drum 2	Drum 3
General Condition of Drum (Note any deformations, corrosion, staining, etc. Check for liquid in the interstitial space of double-walled drums.)			
General Condition of Secondary Containment (Note any cracks, drain valve closed/locked, accumulated stormwater.)			
Foundation/Drum Base (Note any staining, spills, water against base, etc.)			
Emergency Response Spill Kits	Location # Kit complete? ___ Kit restocked: ___		

Name: _____

Title: _____

Signature _____ Date: _____

Spill Response Kits

The following are some suggested items for on-site fuel spill response kits. Facility personnel should be familiar with the location and contents of the spill kits. Note: The number and contents of fuel spill response kits will vary with the nature, size and location of the facility. Response kits should be tailored to the site specific features of the facility.

- ◆ Drums or other containers to hold contaminated materials (1 red drum)
- ◆ Loose absorbent for fuel
- ◆ Sorbent pads/wipes/pillows/booms/socks (20)
- ◆ Nitrile gloves (2 pairs)
- ◆ Neoprene gloves for cold weather use (2 pairs)
- ◆ Nonsparking Shovel
- ◆ Broom