



Development Review Application

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



PROJECT NAME: R.A. Cummings, Inc. Quarry

PROPOSED DEVELOPMENT ADDRESS: Browns Crossing Road

PARCEL ID#: Tax Map 55 Lot 9

REVIEW TYPE: Site Plan Site Plan Amendment
 Subdivision Subdivision Amendment

PROJECT DESCRIPTION: The applicant is proposing to develop the parcel shown as Lot 9 on Tax map 55 into a mineral extraction operation. Over burden material will be removed and then the mining operation will commence

CONTACT INFORMATION:

Applicant

Name: R.A. Cummings, Inc.
Address: 82 Goodwaite Rd Auburn ME
Zip Code 04211-1747
Work #: 777-7100
Cell #: 576-1910
Fax #: 777-7171
Home #:
Email: rod@auburnconcrete.com

Property Owner

Name: R.A. Cummings, Inc.
Address: 82 Goodwaite Rd. Auburn ME
Zip Code 04211-1747
Work #: 777-7100
Cell #: 576-1910
Fax #: 777-7171
Home #:
Email: rod@auburnconcrete.com

Project Representative

James Coffin c/o
Name: E.S. Coffin Engineering + Surveying Inc.
Address: 432 Cony Rd Chelsea ME
Zip Code 04330
Work #: 623-9475
Cell #: 242-8500
Fax #: 623-0016
Home #:
Email: jcoffin@coffineng.com

Other professional representatives for the project (surveyors, engineers, etc.),

Name:
Address:
Zip Code
Work #:
Cell #:
Fax #:
Home #:
Email:

PROJECT DATA

The following information is required where applicable, in order complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	<u>0</u>	sq. ft.
Proposed Total Paved Area	<u>0</u>	sq. ft.
Proposed Total Impervious Area	<u>1,002,853</u>	sq. ft.
Proposed Impervious Net Change	<u>1,002,853</u>	sq. ft.
Impervious surface ratio existing	<u>0</u>	% of lot area
Impervious surface ratio proposed	<u>53.8 %</u>	% of lot area

BUILDING AREA/LOT

COVERAGE

Existing Building Footprint	<u>N/A</u>	sq. ft.
Proposed Building Footprint	<u> </u>	sq. ft.
Proposed Building Footprint Net change	<u> </u>	sq. ft.
Existing Total Building Floor Area	<u> </u>	sq. ft.
Proposed Total Building Floor Area	<u> </u>	sq. ft.
Proposed Building Floor Area Net Change	<u> </u>	sq. ft.
New Building	<u> </u>	(yes or no)
Building Area/Lot coverage existing	<u> </u>	% of lot area
Building Area/Lot coverage proposed	<u>↓</u>	% of lot area

ZONING

Existing Industrial + Agricultural

Proposed, if applicable

LAND USE

Existing wooded

Proposed mineral extraction

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	<u>N/A</u>
Proposed Number of Residential Units	<u> </u>
Subdivision, Proposed Number of Lots	<u> </u>
	<u>↓</u>

PARKING SPACES

Existing Number of Parking Spaces	<u> </u>
Proposed Number of Parking Spaces	<u> </u>
Number of Handicapped Parking Spaces	<u> </u>
Proposed Total Parking Spaces	<u> </u>
	<u>↓</u>

ESTIMATED COST OF PROJECT

4 million

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	<u>0</u>	sq. ft.
Proposed Disturbed Area	<u>1,149,809</u>	sq. ft.
Proposed Impervious Area	<u>1,002,853</u>	sq. ft.

1. If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.
2. If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.
3. If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.
4. If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing 0 passenger car equivalents (PCE)
(Since July 1, 1997)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) 16 passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the Industrial + Agricultural & Resource Protection zoning district.

2. Parcel Area: 42.8 acres / _____ square feet(sf).

Regulations	Required/Allowed Agricultural	Provided	<u>Industrial</u>
Min Lot Area	<u>10 ac's</u>	/	<u>42.8</u>
Street Frontage	<u>250'</u>	/	<u>1,440' +</u>
Min Front Yard	<u>N/A</u>	/	
Min Rear Yard	<u>N/A</u>	/	
Min Side Yard	<u>200'</u>	/	<u>1059'</u>
Max. Building Height	<u>N/A</u>	/	<u>N/A</u>
Use Designation		/	<u>mineral extraction</u>
Parking Requirement	<u>1 space/ per</u>	<u>square feet of floor area</u>	
Total Parking:	<u>N/A</u>	/	<u>N/A</u>
Overlay zoning districts(if any):		/	
Urban impaired stream watershed?	YES/NO If yes, watershed name		<u>NO</u>

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include fifteen (15) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

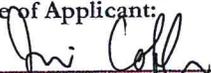
Refer to the application checklist for a detailed list of submittal requirements.

L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburnmaine.org under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance
Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm> Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant: 	Date: <u>5.10.16</u>
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Development Review Checklist

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



**THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE
SUBMITTED FOR AN APPLICATION TO BE COMPLETE**

PROJECT NAME: R.A. Cummings, Inc. Quarry

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: Browns Crossing Rd. Tax Map 55
Lot 9

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	Owner's Names/Address	✓			
	Names of Development	✓			
	Professionally Prepared Plan	✓			
	Tax Map or Street/Parcel Number	✓			
	Zoning of Property	✓			
	Distance to Property Lines	✓			
	Boundaries of Abutting land	✓			
	Show Setbacks, Yards and Buffers	✓			
	Airport Area of Influence (Auburn only)	N/A			
	Parking Space Calcs	N/A			
	Drive Openings/Locations	✓			
	Subdivision Restrictions	N/A			
	Proposed Use	✓			
	PB/BOA/Other Restrictions	N/A			
	Fire Department Review	N/A			
	Open Space/Lot Coverage	N/A			
	Lot Layout (Lewiston only)	N/A			
	Existing Building (s)				
	Existing Streets, etc.				
	Existing Driveways, etc.				
	Proposed Building(s)				
	Proposed Driveways				
Landscape Plan					
	Greenspace Requirements	N/A			
	Setbacks to Parking	N/A			
	Buffer Requirements	✓			
	Street Tree Requirements	N/A			
	Screened Dumpsters	N/A			
	Additional Design Guidelines	N/A			
	Planting Schedule	N/A			

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
Stormwater & Erosion Control Plan					
	Compliance w/ chapter 500	N/A			
	Show Existing Surface Drainage	N/A			
	Direction of Flow	N/A			
	Location of Catch Basins, etc.	N/A			
	Drainage Calculations	N/A			
	Erosion Control Measures	✓			
	Maine Construction General Permit	N/A			
	Bonding and Inspection Fees	N/A			
	Post-Construction Stormwater Plan	N/A			
	Inspection/monitoring requirements	N/A			
	Third Party Inspections (Lewiston only)	N/A			
Lighting Plan					
	Full cut-off fixtures	✓			
	Meets Parking Lot Requirements	N/A			
Traffic Information					
	Access Management	✓			
	Signage	N/A			
	PCE - Trips in Peak Hour	✓			
	Vehicular Movements	N/A			
	Safety Concerns	N/A			
	Pedestrian Circulation	N/A			
	Police Traffic				
	Engineering Traffic				
Utility Plan					
	Water	✓			
	Adequacy of Water Supply	N/A			
	Water main extension agreement	N/A			
	Sewer	N/A			
	Available city capacity	N/A			
	Electric	✓			
	Natural Gas	N/A			
	Cable/Phone	N/A			
Natural Resources					
	Shoreland Zone	✓			
	Flood Plain	✓			
	Wetlands or Streams	✓			
	Urban Impaired Stream	N/A			
	Phosphorus Check	N/A			
	Aquifer/Groundwater Protection	✓			
	Applicable State Permits	✓			

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	No Name Pond Watershed (Lewiston only)	N/A			
	Lake Auburn Watershed (Auburn only)	N/A			
	Taylor Pond Watershed (Auburn only)	N/A			
Right Title or Interest					
	Verify				
	Document Existing Easements, Covenants, etc.	✓			
Technical & Financial Capacity					
	Cost Est./Financial Capacity	✓			
	Performance Guarantee				
State Subdivision Law		N/A			
	Verify/Check				
	Covenants/Deed Restrictions				
	Offers of Conveyance to City				
	Association Documents				
	Location of Proposed Streets & Sidewalks				
	Proposed Lot Lines, etc.				
	Data to Determine Lots, etc.				
	Subdivision Lots/Blocks				
	Specified Dedication of Land				
Additional Subdivision Standards		N/A			
	Single-Family Cluster (Lewiston only)				
	Multi-Unit Residential Development (Lewiston only)				
	Mobile Home Parks				
	Private Commercial or Industrial Subdivisions (Lewiston only)				
	PUD (Auburn only)				
A JPEG or PDF of the proposed site plan		✓			
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving		✓			

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



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

Section 60-698(a) Narrative:

R.A. Cummings, Inc., herein called the applicant, own a parcel of land identified as Lot 9 on Tax Map 55 in the City of Auburn tax maps. The 42.77 acre parcel is located on Browns Crossing Road and is abutted to the north by Morin Brick, to the east by Maine Central Railroad and to the west by Gendron & Gendron Inc.

The applicant is proposing to operate a rock quarry and use the materials for their concrete operation. A Department of Environmental Protection (DEP) Quarry Application is being submitted concurrently with the City of Auburn's Planning Board Application. In addition a Natural Resource Protection Act (NRPA) Tier 1 permit application is also being submitted due to disturbing 12,920 sf of freshwater wetlands. Per Section 60-698(A) under Article VIII Excavation Permit Regulations the following items are to be considered in the application review:

Hours of Operation:

The applicant is proposing to operate Monday thru Saturday from 6:00 am to 5:00 pm. There may be special circumstances in which they may need to extend their hours from 5:00 am to 7:00 pm when a higher volume of rock is needed.

Plan of Attack:

The applicant will come in through the proposed road and go towards the railroad tracks near the northeast corner of the parcel. The plan is to then extract rock in a southwest direction against the seams of the rock towards the high point of the site.

Noise:

The screen boxes are the noisiest piece of equipment of the entire mining operation. The applicant is utilizing urethane screens to reduce the noise level of these screen boxes to 50%. In addition Telsmith Inc., the equipment dealer has provided three different quarries with noise readings for each utilizing similar pieces of equipment.

Equipment:

There will be crushers, screens, heavy equipment and trucks on site daily. The equipment is mobile and can be relocated on site as needed. The location of the crushing equipment is shown on the Site Plan (C-1).

Setbacks:

A Site Plan is being submitted with this application showing the following Department of Environmental Protection (DEP) setbacks:

Browns Crossing Road – 50' setback from the edge of the road.

Abutters – 25' setback from the property line

Streams – 75' setback from the ordinary high water mark

These setbacks are buffers in which the existing vegetation must be maintained between the proposed quarry and property lines, roads and streams. These buffers may not be cut or cleared for any reason, even forest management. The City of Auburn has the following setbacks for the Industrial District:

Front – 35'

Side – 35'

Rear – 50'

The setbacks for the Agricultural/Resource Protection District:

Front – 25'

Side – 15'

Rear – 25'

These setbacks are for permanent structures and are not applicable for the mining operation with the exception of the concrete water storage tank, which comply with the Industrial District setbacks.

Ingress/Egress:

Browns Crossing Road is a dead end road with a 30 mph speed limit. Based on the speed limit the minimum sight distance required is 300' at the proposed entrance/exit. There is over 500' of site distance to the north and 360' of site distance to the south. There are some overhanging tree limbs that may need to be cut to the south to maintain adequate site distance. The proposed access road coming into the property will maintain a slope of no more than three (3) percent for the first 75' and not exceed ten (10) percent thereafter.

Traffic:

The applicant has estimated that once the quarry is fully operational there will be 600-700 tons of rock being trucked out of the quarry each day. This equates to there being 20 trucks per day entering and exiting the facility. There will be six employees on site with one plant manager, three machine operators and two laborers. Assuming half of these trucks will operate at peak hours along with the employees equates to 16 peak hour trips per day, which is much less than MDOT's threshold of 100 peak hour trips in which a traffic movement permit is required.

Utilities:

Sewer: A porta-potty will be implemented on site and will be serviced by G.A. Downing, who services the other Auburn Concrete sites.

Water: Water will be pumped from the Royal River and sent to the 40' wide by 150' long concrete water storage tank shown on the Site Plan (C-1). This water is utilized to wash the stones that are being manufactured. Mark Stebbins of the DEP mineral extraction division has stated that the applicant can draw water from the Royal River as long as it is not excessive in nature.

Electric: Overhead power terminates on the north side of the bridge over the Royal River on Browns Crossing Road. Overhead power will be extended 950' along Browns Crossing Road to the applicant's northwest property corner. From this point power will be brought into the site overhead.

Stormwater: The quarry is self-contained with any runoff evaporating or dissipating through the floor of the quarry through cracks in the bedrock. No stormwater calculations are required with the DEP for this type (mineral extraction) of operation.

Section 60-698(b) Narrative:

R.A. Cummings, Inc., herein called the applicant, own a parcel of land identified as Lot 9 on Tax Map 55 in the City of Auburn tax maps. The 42.77 acre parcel is located on Browns Crossing Road and is abutted to the north by Morin Brick, to the east by Maine Central Railroad and to the west by Gendron & Gendron Inc.

The entire parcel is wooded and has never been developed. The applicant intends to extract rock to a depth of 155' as shown on the Site Plan (C-1). Effectively the rock will be mined between the unnamed stream along the south side of the parcel and the Royal River along the north side of the parcel. The Site Plan also is representative of the Reclamation Plan since the quarry will contain walls that are nearly vertical.

The following six items are required to be addressed per section 60-698(b):

- (1) *Maintenance of safe and healthful conditions such as the posting of danger areas, the installation of gates to prevent access, etc.;*

A gate will be installed to keep the site secured during non-working hours at the entrance along Browns Crossing Road. Signage will be posted where applicable indicating dangerous vertical drops. Auburn Concrete currently has five different concrete facilities throughout the State of Maine. These facilities maintain the highest standard of safety for their employees.

- (2) *The prevention and control of erosion and sedimentation;*

All pertinent erosion control devices are depicted on the Site Plan (C-1). In addition the implementation and maintenance of these devices are further described in the Site Details (C-2, C-3 & C-4). The quarry is self-contained and the only source of erosion would be the berms around the perimeter of the mining operation.

- (3) *The proximity of water bodies and wetland areas;*

The Royal River bisects the north property line. A 75 foot setback is maintained from this water body as well as another stream that bisects the property near the southeast corner of the property. All wetlands have been mapped and are shown on the Site Plan (C-1). No setbacks are required from any of these wetlands as they are not sensitive nor do they exceed 10 acres in size. A Natural Resource Protection Act (NRPA) Tier 1 permit application is being submitted to the DEP for impacting 12,920 sf of freshwater wetlands. The applicant will draw water from the Royal River per conversations with Mark Stebbins of the DEP.

(4) *The effect on the aesthetic, scenic or natural beauty of the immediate area;*

A letter from the Department of Conservation is included indicating that there are no rare botanical features documented within the project area. The entire mining operation will be self-contained with rock walls surrounding it. This site was chosen with regard to the abutters (commercial) and the parcel being located on a dead end road. A letter from Inland Fisheries and Wildlife (IF&W) is also included and it mentions a concern with long-eared bats. The letter suggested that we contact Wendy Mahaney of the Wildlife Service Maine Field Office in Bangor. We contacted Wendy and she indicated that as long as there weren't any Federal funds involved with our project then we wouldn't need to address the long-eared bats.

(5) *Whether the size of the resource deposit in relation to the area affected justifies the excavation activity;*

Seven borings were conducted by Maine Test Borings in February of 2014. SW Cole Engineering Inc. then took this data and put on a Site Plan along with sections shown on the Interpretive Geologic Profiles. Although one boring (B3) encountered water at a depth of 40' down (elevation of 241'), none of the other borings found any water. Therefore we can assume that groundwater can't be any higher than elevation 150'. We have set the quarry floor at elevation 155', which is at least 5' above the water table. We then graded the quarry and found that there will be approximately 2.1 million yards of rock available to the applicant.

(6) *The compatibility of the use with the surrounding uses and the neighborhood.*

Under this criteria items to be addressed are as follows: hours of operation, noise emitted from the operation, types of machinery to be used, dust, provisions of screening, orientation of the excavation operation, etc.

There are no single family homes within 1,000 of any property line. The parcel is bordered by Morin Brick, Maine Central Railroad and Gendron & Gendron, which are all commercial companies. Gendron & Gendron is a large excavation company who has a quarry and gravel pit. The following items are required to be addressed per the Land Use Ordinance:

- Hours of operation: The applicant is proposing to operate Monday thru Saturday from 6:00 am to 5:00 pm. There may be special circumstances in which they may need to extend their hours from 5:00 am to 7:00 pm when a higher volume of rock is needed.
- Noise emission: The screen boxes are the noisiest piece of equipment of the entire mining operation. The applicant is utilizing urethane screens to reduce the noise level of these screen boxes to 50%. Telsmith Inc. has provided three different drawings that depict noise readings taken at various elevations for three different stone quarries.
- Types of machinery: There will be crushers, screens, heavy equipment and trucks on site daily. The location of the crushing equipment is shown on the Site Plan (C-1). The crushing equipment will be supplied by Telsmith Inc.

- Dust: Dust will be controlled on site utilizing calcium chloride and water from the two storage tanks shown adjacent to the Royal River.
- Screening: As mentioned above the screen boxes will be equipped with urethane screens to reduce noise by 50%.
- Orientation of the excavation operation: The applicant will come in through the proposed road and go towards the railroad tracks near the northeast corner of the parcel. The plan is to then extract rock in a southwest direction against the seams of the rock towards the high point of the site. The crushing equipment will be set up in the northwest corner of the site as shown on the Site Plan (C-1). All of the crushing equipment is mobile and can be relocated as needed.



AUBURN - 82 Goldthwaite Road
WESTBROOK - 93 Scott Drive
WEST BATH - 50 Arthur Reno Sr Road
AUGUSTA - 2 Hard Rock Road
TOPSHAM - 26 Meadow Road Ext

Main Office: P.O. Box 1747 • Auburn, Maine 04210

Phone: (207) 777-7100 • Fax: (207) 777-7171

April 29, 2016

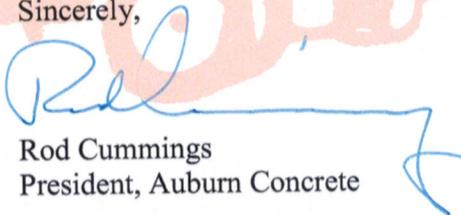
Mr. James Coffin, P.E.
E.S. Coffin Engineering & Surveying, LLC.
432 Cony Road
P.O. Box 4687
Augusta, Maine 04330

Subject: Agent Authorization
Development Review Application

Dear Mr. Coffin

The intent of this letter is to authorize E.S. Coffin Engineering & Surveying, Inc. to act as our agent in submitting applications and answering questions regarding our development review application for the proposed quarry located on Browns Crossing Road in Auburn, Maine.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rod Cummings", is written over the "Sincerely," and extends to the right. Below the signature, the name "Rod Cummings" and title "President, Auburn Concrete" are printed in black.

Rod Cummings
President, Auburn Concrete

From: Rod Cummings <rod@auburnconcrete.com>
Sent: Tuesday, May 10, 2016 10:44 AM
To: Jim Coffin
Subject: FW: Finance Rates

Thanks for opportunity to quote interest rates. You have asked at the right time.

I did get a go ahead to offer you new equipment financing interest rates 3.11% fixed 4 years, then the 5th year variable at prime (prime today is 3.50%).

I can hold these rates longer than March, as long as our index doesn't move more than 10%. <http://www.fhlbboston.com/rates/advances/index.jsp>

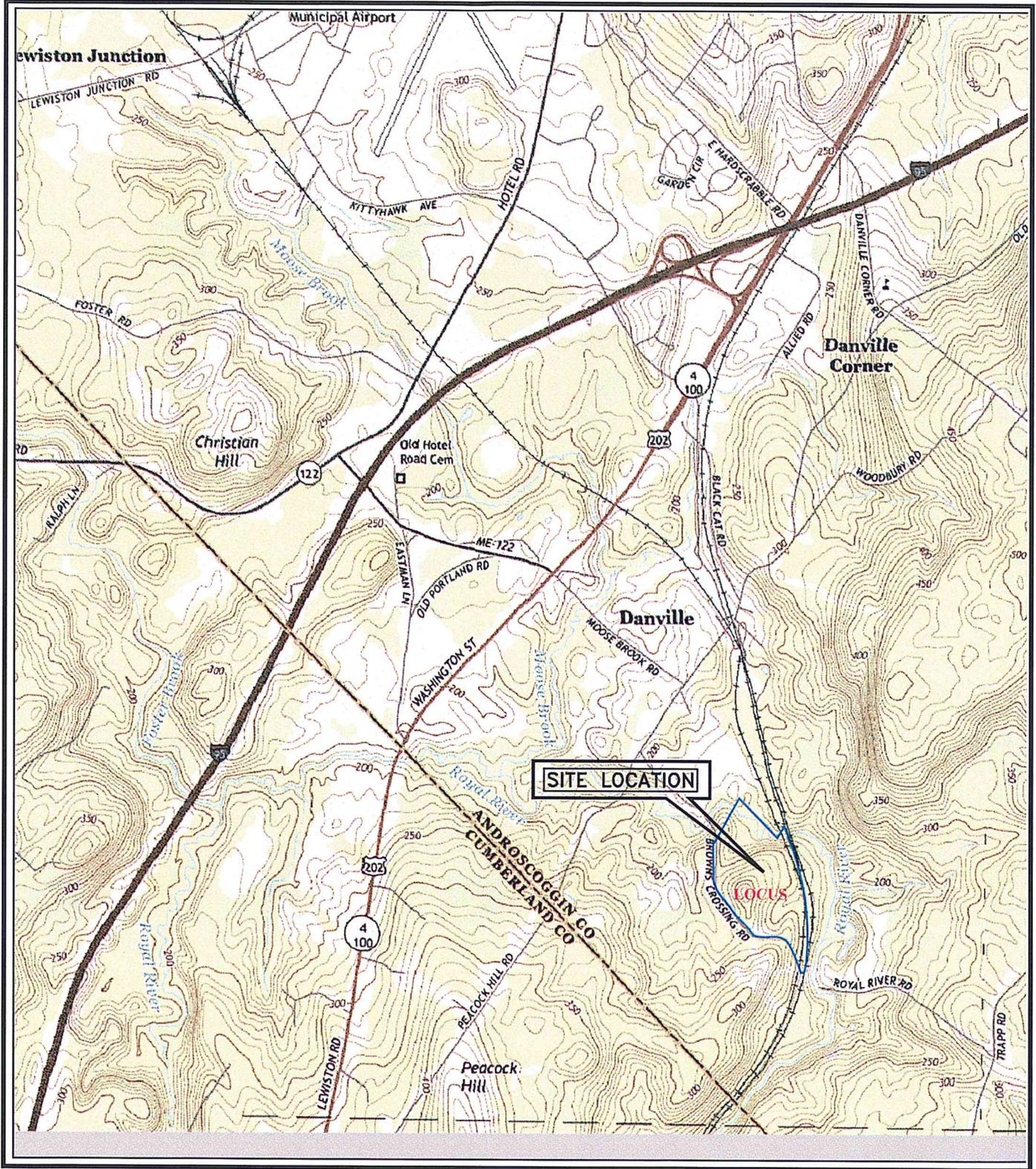
As discussed, we will do up to 100% financing on equipment.

My disclaimer is Loan(s) of \$4 million for new quarry equipment would have to go back through approval process. I would need some quarry projections at some point when going back through approval. I feel comfortable with these terms.

Let me know. Happy to come down and discuss (or meet at longhorns!)



Chris DeMerchant
Commercial Loan Officer, Vice President
Androscoggin Bank
649 Turner Street, Suite 300
Auburn, ME 04210
(207) 376-3570 office
(207) 740-6569 cell
(207) 777-6697 fax
AndroscogginBank.com



LOCATION MAP
SCALE: 1" = 2000'

SLM

CLIENT/PROJECT:	R.A. CUMMINGS, INC.
LOCATION:	BROWN'S CROSSING ROAD
TOWN:	AUBURN COUNTY: ANDROSCOGGIN STATE: MAINE


E.S. COFFIN
 ENGINEERING & SURVEYING
 © 2014
E.S. COFFIN ENGINEERING & SURVEYING, INC.
 433 Covey Road P.O. Box 4687 Augusta, Maine 04330
 Ph. (207) 623-9475 Fax (207) 623-0616 Toll Free 1-800-344-9475

SHEET TITLE:	SITE LOCATION MAP
SCALE:	1" = 2000'
DATE:	JANUARY 4, 2015

PROJ. NO. 2015-002

MAINE SHORT FORM WARRANTY DEED

I, **THELMA R. REDMUN**, of Danville, Androscoggin County, Maine, for consideration paid, hereby grant to **R. A. CUMMINGS, INC.**, a Maine business corporation with a mailing address of P.O. Box 1747, Auburn, Maine 04211-1747, with **WARRANTY COVENANTS**, a certain lot or parcel of land situated in **Auburn**, Androscoggin County, Maine, being more particularly described on the attached Exhibit A.

The premises are conveyed subject to any easements and restrictions of record and include all rights, easements, privileges and appurtenances pertaining thereto.

Being the same premises described in the deed Aileen M. Veilleux, Kathleen Gay, Frederick E. Redmun, Christeen Proctor, and Charleen L. Redmun to Thelma R. Redmun dated October 23, 1979, and recorded January 30, 1980, in the Androscoggin County Registry of Deeds in Book 1446, Page 20 (2/3 interest). Upon the death of Alfred E. Redmun on October 1, 1979, Thelma R. Redmun acquired 1/3 interest as surviving spouse intestate estate.

WITNESS my hand and seal this 22 day of November, 2013.

MAINE REAL ESTATE
TRANSFER TAX PAID

Witness

Aileen Veilleux
Thelma R. Redmun
by Aileen Veilleux, Attorney-in-Fact
pursuant to the Power of Attorney recorded
in Book 8797, Page 283 at the Androscoggin
County Registry of Deeds

Witness

Frederick Redmun
Thelma R. Redmun
by Frederick Redmun, Attorney-in-Fact
pursuant to the Power of Attorney recorded
in Book 8797, Page 283 at the Androscoggin
County Registry of Deeds

STATE OF MAINE
COUNTY OF ANDROSCOGGIN, SS.

Personally appeared before me this 22 day of November, 2013, the above-named Aileen Veilleux and Frederick Redmun, and acknowledged the foregoing instrument to be their free acts and deeds in said capacities.

N. J. Rattey
Notary Public/Maine Attorney-at-Law
N. J. Rattey
Type or Print Name
My commission expires: _____

EXHIBIT A

A certain lot or parcel of land situated in Auburn, Androscoggin County, Maine, bounded and described as follows:

Beginning at the easterly line of Browns Crossing Road at the southerly corner of land now or formerly of Morin Brick, LLC, described in the deed of Morin Brick Co. dated March 25, 2009, and recorded in the Androscoggin County Registry of Deeds in Book 7652, Page 344;

THENCE running in a southeasterly direction along the northeasterly line of Browns Crossing Road to land now or formerly of Gendron & Gendron, Inc., described in the deed of Donald A. LaChance and Doris C. LaChance dated August 6, 1999, and recorded in said Registry in Book 4292, Page 317;

THENCE running in an easterly direction along the northerly line of said land now or formerly of Gendron & Gendron, Inc. to the westerly line of the Maine Central Railroad right-of-way;

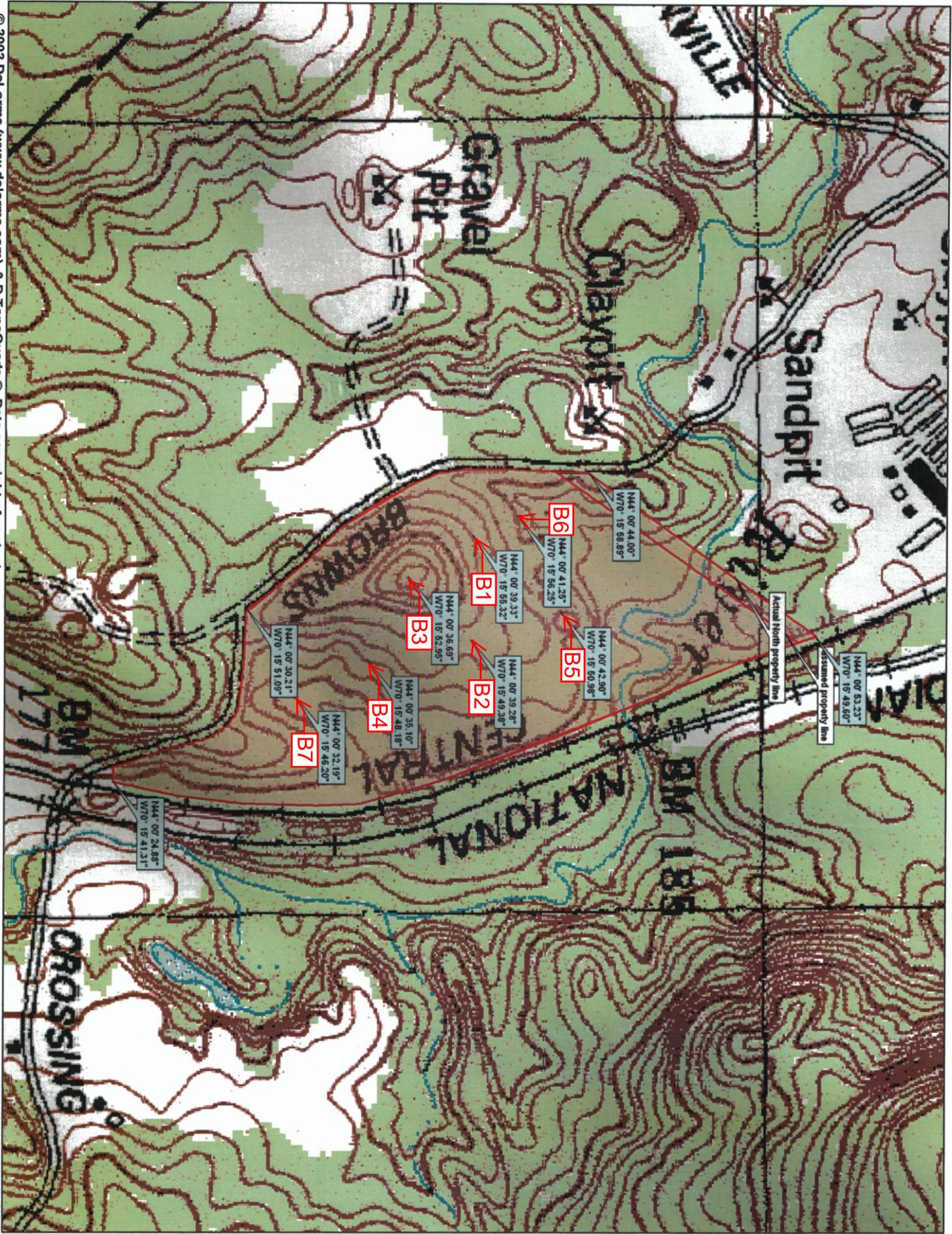
THENCE running in a northerly and northwesterly direction along the westerly line of the Maine Central Railroad right-of-way to the land now or formerly of said Morin Brick, LLC;

THENCE running in a southwesterly direction along the southeasterly line of said land now or formerly of Morin Brick, LLC to the point of beginning.

For the source of title of the Grantor, see the deed of John S. Hicks to Ernest F. Redman dated April 29, 1946, and recorded in said Registry in Book 685, page 564 and in the deed of Alfonse Gravel to Ernest F. Redmond dated June 24, 1948, and recorded in said Registry in Book 618, Page 324, excepting Parcel Two described in the deed of Alfred E. Redman dated December 13, 1976, and recorded in said Registry in the Book 1245, Page 70. See also the release deed of Aileen M. Veilleux, Kathleen Gay, Frederick E. Redmun, Christeen Proctor, and Charleen L. Redmun dated October 23, 1979, and recorded January 30, 1980, in the Androscoggin County Registry of Deeds in Book 1446, Page 20 (2/3 interest). Upon the death of Alfred E. Redmun on October 1, 1979, Thelma R. Redmun acquired 1/3 interest as surviving spouse in an intestate estate.

H:\DOCS\RATTEY\CummingsRA 40976\EXHIBIT A.docx

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS



© 2002 DeLorme (www.delorme.com), 3-D TopoQuads®. Data copyright of content owner.
 Scale: 1 : 6,400 Map Rotation: 0° Magnetic Declination: 0.0°E

500 ft

MAINE TEST BORINGS

Complete Test Boring Service
 18 MACK LANE, HERMON MAINE 04401 • 207-848-7041 • FAX 207-848-7042
www.mainetest.com

Auburn Concrete
 82 Goldthwaite Rd.
 Auburn, ME 04210
 Rod Cummings

January 2, 2014
 #14-003
 Test Borings • Auburn, ME
rod@auburnconcrete.com

Boring # 1							Casing: N				Rod: NWJ				Core: NQ2	
Casing Record:			#		"		Sample Record (ft)			Hammer 140 Lbs. Fall 30"				Stratum Record		
PC.	TOT	Blows	Fr	To	Fr	To	Number	Rec.	Blows per 6"			Dpth	Description			
Auger			0	1									0	Brown Organic top soil		
			1	2												
			2	3	2	4	1D		6	7	9	12	0.6	Brown fine silt sand		
			3	4												
			4	5												
			5	6	5	7	2D		13	13	14	10				
			6	7												
			7	8												
		8	9									8.5	Brown silt sand gravel, with cobbles			
		9	10													
DW	N	65	10	11	10	12	3D		22	23	37	23				
		73	11	12									12	Bricks		
		50/.1	12	13	12.1	17.1	1R									
core	NQ		13	14										cored 5' rec=4.6' (5.5)		
			14	15												
			15	16												
			16	17											cored 5' rec=4.9'	
			17	18	17.1	22.1	2R									
			18	19												
			19	20												
			20	21												
			21	22												
			22	23	22.1	27.1	3R								cored 5' rec=5.1'	
			23	24												
			24	25												
			25	26												
			26	27												
			27	28	27.1	24.9	4R								cored 2.8' rec=2.8'	
			28	29												
			29	30	24.9	34.9	5R								Cored 5' rec=4.8'	
			30	31												
	31	32														
	32	33														
	33	34														
	34	35	34.9	39.9	6R								cored 5' rec=5'			
	35	36														
	36	37														
	37	38														
	38	39														
	39	40											Bottom of Boring 39.9'			

MAINE TEST BORINGS

Complete Test Boring Service
 18 MACK LANE, HERMON MAINE 04401 • 207-848-7041 • FAX 207-848-7042
www.mainetest.com

Auburn Concrete
 82 Goldthwaite Rd.
 Auburn, ME 04210
 Rod Cummings

January 3 and 6, 2014
 #14-003
 Test Borings • Auburn, ME
rod@auburnconcrete.com

Boring # 2							Casing: N				Rod: NWJ				Core: NQ2	
Casing Record:			#		Sample Record (ft)		Hammer 140 Lbs. Fall 30"				Stratum Record					
PC.	TOT	Blows	Fr	To	Fr	To	Number	Rec.	Blows per 6"			Dpth	Description			
			0	1									0	Topsoil		
Auger			1	2									1.5'	Brown fine sand silt		
			2	3	2	4	1D	18"	4	6	8	7				
			3	4												
			4	5												
			5	6	5	7	2D		5	5	6	7				
			6	7												
Spin			7	8										Brown gravel sand and silt		
			8	9									8'			
core	NQ		9	10	9.2	14.2	1R						8.7'	Bed rock		
			10	11											cored 5' rec = 5.1'	
			11	12												
			12	13												
			13	14												cored 2.9' rec= 2.9'
			14	15	14.2	17.1	2R									
			15	16												
			16	17												cored 4.6' rec= 4.2'
			17	18	17.1	21.7	3R									
			18	19												
			19	20												
			20	21												cored 5' rec= 4.9'
			21	22	21.7	26.7	4R									
			22	23												
			23	24												
			24	25												cored 5' rec= 5'
			25	26												
			26	27	26.7	31.7	5R									
			27	28												
			28	29												cored 5' rec= 4.5'
	29	30														
	30	31														
	31	32	31.7	36.7	6R											
	32	33												cored 3.3' rec= 0.0'		
	33	34														
	34	35														
	35	36														
	36	37	36.7	40	7R									(Lifter didn't grab and destroyed core on second attempt to recover)		
	37	38														
	38	39														
	39	40												Bottom of boring 40.0'		

MAINE TEST BORINGS

Complete Test Boring Service
 18 MACK LANE, HERMON MAINE 04401 • 207-848-7041 • FAX 207-848-7042
www.mainetest.com

Auburn Concrete
 82 Goldthwaite Rd.
 Auburn, ME 04210
 Rod Cummings

January 8 and 9, 2014
 #14-003
 Test Borings • Auburn, ME
rod@auburnconcrete.com

Boring # 4							Casing: N				Rod: NWJ		Core: NQ2	
Casing Record: # _____"			Sample Record (ft)				Hammer 140 Lbs. Fall 30"				Stratum Record			
PC.	TOT	Blows	Fr	To	Fr	To	Number	Rec.	Blows per 6"			Dpth	Description	
Auger			0	1	0	2	1D	18"	1	2	2	2	0	Topsoil
			1	2									.3'	Brown fine sand silt
			2	3										
			3	4										
			4	5										
			5	6	5	6.4	2D	18"	7	38	75/4		5.8'	Weathered rock
			6	7										
		7	8											
Spin	N		8	9	8.4	13.4	1R							cored 5.0' rec= 3.2'
			9	10										
			10	11										cored 3.0' rec= 3.9'
			11	12										
			12	13										cored 4.6' rec= 4.6'
			13	14	13.4	16.4	2R							
			14	15										cored 5' rec= 5'
			15	16										
			16	17	16.4	21	3R							cored 5' rec= 5'
			17	18										
			18	19										cored 5' rec= 5'
			19	20										
			20	21										cored 5' rec= 5'
			21	22	21	26	4R							
			22	23										cored 5' rec= 5'
			23	24										
			24	25										cored 5' rec= 5'
			25	26										
			26	27	26	31	5R							cored 5' rec= 5'
			27	28										
			28	29										cored 5' rec= 5'
			29	30										
			30	31										cored 5' rec= 5'
			31	32	31	36	6R							
			32	33										cored 5' rec= 5'
			33	34										
			34	35										cored 5' rec= 5'
			35	36										
			36	37	36	41	7R							cored 5' rec= 5'
			37	38										
			38	39										cored 5' rec= 5'
			39	40										
			40	41										Bottom of Boring 41'

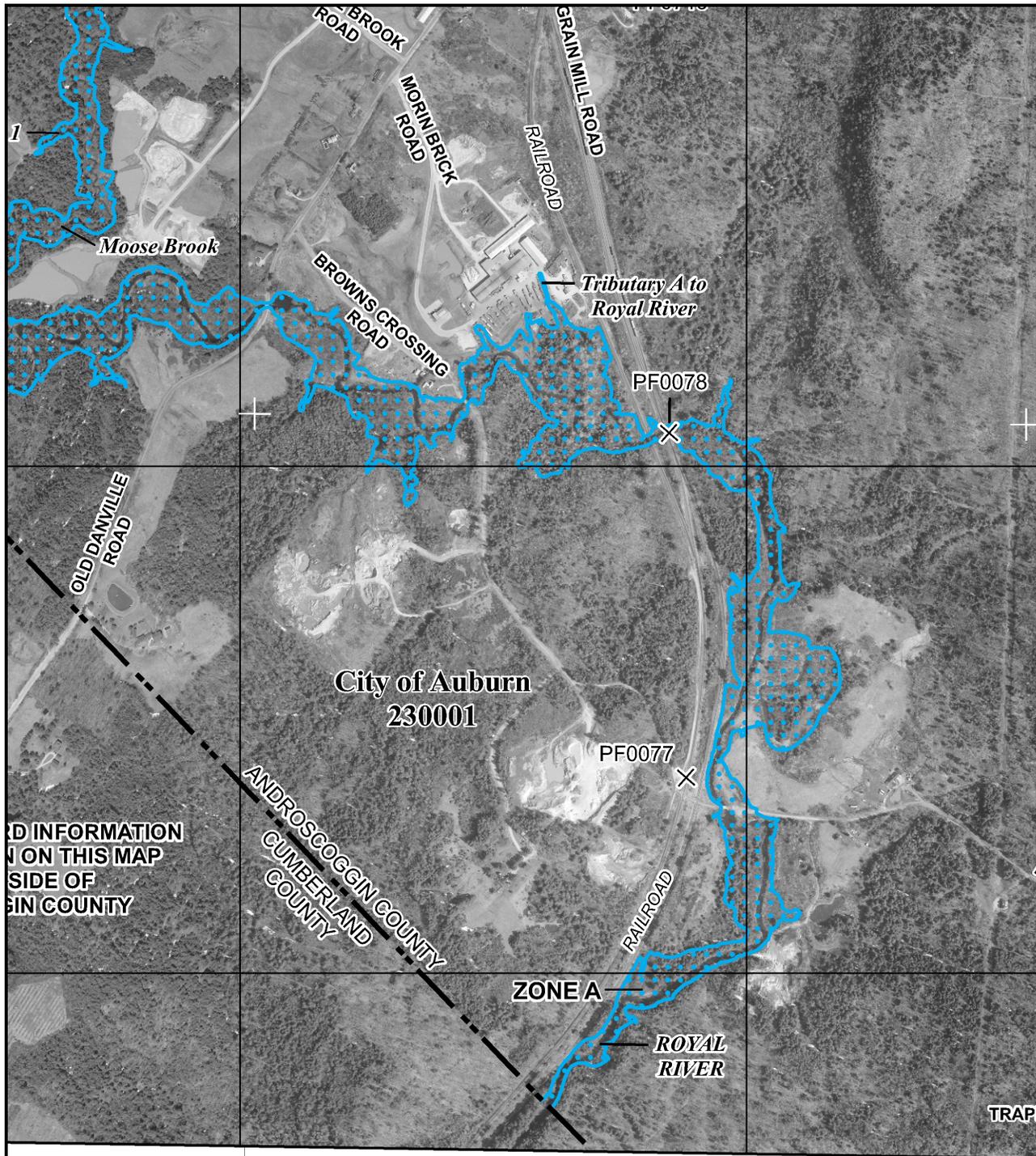
MAINE TEST BORINGS

Complete Test Boring Service
 18 MACK LANE, HERMON MAINE 04401 • 207-848-7041 • FAX 207-848-7042
www.mainetest.com

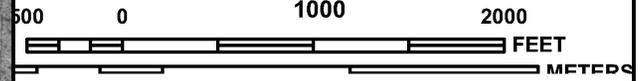
Auburn Concrete
 82 Goldthwaite Rd.
 Auburn, ME 04210
 Rod Cummings

January 9 and 10, 2014
 #14-003
 Test Borings • Auburn, ME
rod@auburnconcrete.com

Boring # 6							Casing: N				Rod: NWJ				Core: NQ2	
Casing Record: # _____"			Sample Record (ft)				Hammer 140 Lbs. Fall 30"				Stratum Record					
PC.	TOT	Blows	Fr	To	Fr	To	Number	Rec.	Blows per 6"				Dpth	Description		
Auger			0	1	0	2	1D	21"	1	4	6	8	0	Topsoil		
			1	2									0.3'	Brown sand silt		
			2	3												
			3	4												
			4	5												
			5	6	5	7	2D	24"	5	7	7	8	5.8'	Brown silt fine sand		
			6	7												
			7	8												
			8	9												
			9	10												
		9	10	11	12	3D	24"	6	8	8	8					
		17	11	12												
		27	12	13												
		30	13	14												
		39	14	15												
drive and wash			17	15	16	15	17	4D	15"	10	12	16	17			
			32	16	17											
			74	17	18	17.9			1"				17.9'	Bed Rock (weathered)		
			150/6	18	19	18.7	23.1	1R								
	core	NQ		19	20										cored 4.4' rec= 2.3'	
				20	21											
				21	22											
				22	23										cored 2.2' rec= 2.0'	
				23	24	23.1	25.3	2R								
				24	25											
			25	26	25.3	28.7	3R								cored 3.4' rec= 2.9'	
			26	27												
			27	28												
			28	29	28.7	29.5	4R								cored .8' rec=1.0'	
			29	30	29.5	33.3	5R									
			30	31											cored 2.8' rec= 2.8'	
			31	32												
			32	33	33.3	38.5	6R									
			33	34											cored 5.2' rec= 5.2'	
	34	35														
	35	36														
	36	37														
	37	38														
	38	39	38.5	40.5	7R								cored 2' rec= 1.9'			
	39	40														
	40	41											Bottom of Boring 40.5'			



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0320E

FIRM
FLOOD INSURANCE RATE MAP
ANDROSCOGGIN
COUNTY, MAINE
(ALL JURISDICTIONS)

PANEL 320 OF 470
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
AUBURN, CITY OF	230001	0320	E

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
23001C0320E
EFFECTIVE DATE
JULY 8, 2013

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO COMPLY - QUARRY NOTIFICATION
PERFORMANCE STANDARDS FOR QUARRIES
(For Use with 38 MRSA Section 490-Y)

PLEASE TYPE OR PRINT IN INK ONLY

Name of Owner: _____

Mailing Address: _____

Town/City: _____ State: _____ Zip Code: _____ Tel.No.(daytime): _____

Name of Operator: _____

Mailing Address: _____

Town/City: _____ State: _____ Zip Code: _____ Tel.No.(daytime): _____

Name of Nearest Road and Directions to Site: _____

Town/City: _____ County: _____

1. Attach a check for \$250 payable to Treasurer State of Maine.
2. Attach to this form a location map with the project site clearly marked (use a U.S.G.S. topo map or Maine Atlas & Gazetteer map).
3. Attach to this form a site plan drawn to scale showing property boundaries, stockpile areas, existing reclaimed and unreclaimed lands, proposed maximum acreage of all affected lands, locations of applicable private or public drinking water supplies (within 1000 feet of the limit of excavation) and all existing or proposed solid waste disposal areas.
4. Attach to this form a parcel description including size, by tax map and deed description.
5. Attach to this form the name and addresses of all abutting property owners.
6. Attach to this form a copy of the lease or other documents showing title, right or interest to the parcel (stumpage information does not have to be shown).

I am filing my notice of intent to comply with the performance standards under 38 MRSA §490-Z. I fully understand that I can be subject to enforcement action, including a stop work order, on my failure to comply with the performance standards. I authorize staff of the Department of Environmental Protection to access the project site for the purpose of determining compliance with the standards. **I also understand that this permit is not valid until I receive a postal receipt. If the Department determines that a notice is not complete, the Department will notify the applicant no later than 45 days after receiving the notice.**

Signature of Applicant: _____ Date: _____

Send the white copy of this form by certified mail to the **ME Dept. of Environmental Protection, State House Station #17, Augusta, ME 04333**. Send the yellow copy of this form to the ME Historic Preservation Commission, State House Station #65, Augusta, ME 04333, and send the gold copy of the form, including the exhibits listed above, to the municipality where the project site is located. Retain the pink copy as a record of the permit. **All abutting owners must receive a copy of this notice.** No further authorization by DEP will be issued after the receipt of this notification.

For Office Use Only				
Project No:	Fee Paid:	Date:	Def:	Sign Off:

QUAFRM
2/97

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

➔ PLEASE TYPE OR PRINT IN BLACK INK ONLY

1. Name of Applicant: R.A. Cummings, Inc.		5. Name of Agent: E.S. Coffin Engineering & Surveying c/o Jim Coffin	
2. Applicant's Mailing Address: 82 Goldwaite Road Auburn, ME 04210		6. Agent's Mailing Address: P.O. Box 4673 Augusta, Maine 04330	
3. Applicant's Daytime Phone #: 777-7100		7. Agent's Daytime Phone #: 207-623-9475	
4. Applicant's Email Address: Required from <i>either</i> applicant or agent: rod@auburnconcrete.com		8. Agent's E-mail Address: jciffin@coffineng.com	
9. Location of Activity: (Nearest Road, Street, Rt.#) Browns Crossing Road		10. Town: Auburn	11. County: Androscoggin
12. Type of Resource: (Check all that apply)	<input checked="" type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input type="checkbox"/> Coastal Wetland <input checked="" type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain	13. Name of Resource: Royal River	14. Amount of Impact: (Sq.Ft.) 12,920 sf: Dredging/Veg Removal/Other:
	15. Type of Wetland: (Check all that apply)	FOR FRESHWATER WETLANDS	
	<input checked="" type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____	<i>Tier 1</i>	<i>Tier 2</i>
		<input type="checkbox"/> 0 - 4,999 sq ft <input type="checkbox"/> 5,000-9,999 sq ft <input checked="" type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 – 43,560 sq. ft. <input type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq. ft., not eligible for Tier 1
16. Brief Activity Description: R.A. Cummings is proposing to develop the property into a rock quarry. The proposed development impacts 12,920 sf of forested wetlands as delineated on the attached plan (C-1).			
17. Size of Lot or Parcel & UTM Locations:		<input type="checkbox"/> ___square feet, or <input checked="" type="checkbox"/> <u>42.77</u> acres UTM Northing: 44-00-32 N UTM Easting: 70-15-46 W	
18. Title, Right or Interest: <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement			
19. Deed Reference Numbers: Book#: 8823 Page: 055		20. Map and Lot Numbers: Map #: 55 Lot #: 9	
21. DEP Staff Previously Contacted: Mark Stebbins		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Resubmission of Application? <input type="checkbox"/> Yes ➔ <input checked="" type="checkbox"/> No		If yes, previous application # _____ Previous project manager: _____	
24. Written Notice of Violation? <input type="checkbox"/> Yes ➔ <input checked="" type="checkbox"/> No		If yes, name of DEP enforcement staff involved: _____ 25. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
26. Detailed Directions to the Project Site: From the Maine Turnpike get off the Auburn exit and turn right onto Washington Street. Travel 1 mile and take a left onto Moose Brook Road. Go 0.5 miles and take a right onto Old Danville Road. Go 0.25 miles and take a left onto Browns Crossing Road. The project will be 0.9 miles on the right.			
TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS	
<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Narrative Project Description <input checked="" type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> Statement of Avoidance & Minimization <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC		<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the Information listed under Site Conditions <input type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input type="checkbox"/> Erosion Control/Construction Plan <input type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input type="checkbox"/> Appendix A and others, if required <input type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required	
28. FEES Amount Enclosed: \$75.00			
CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2			

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

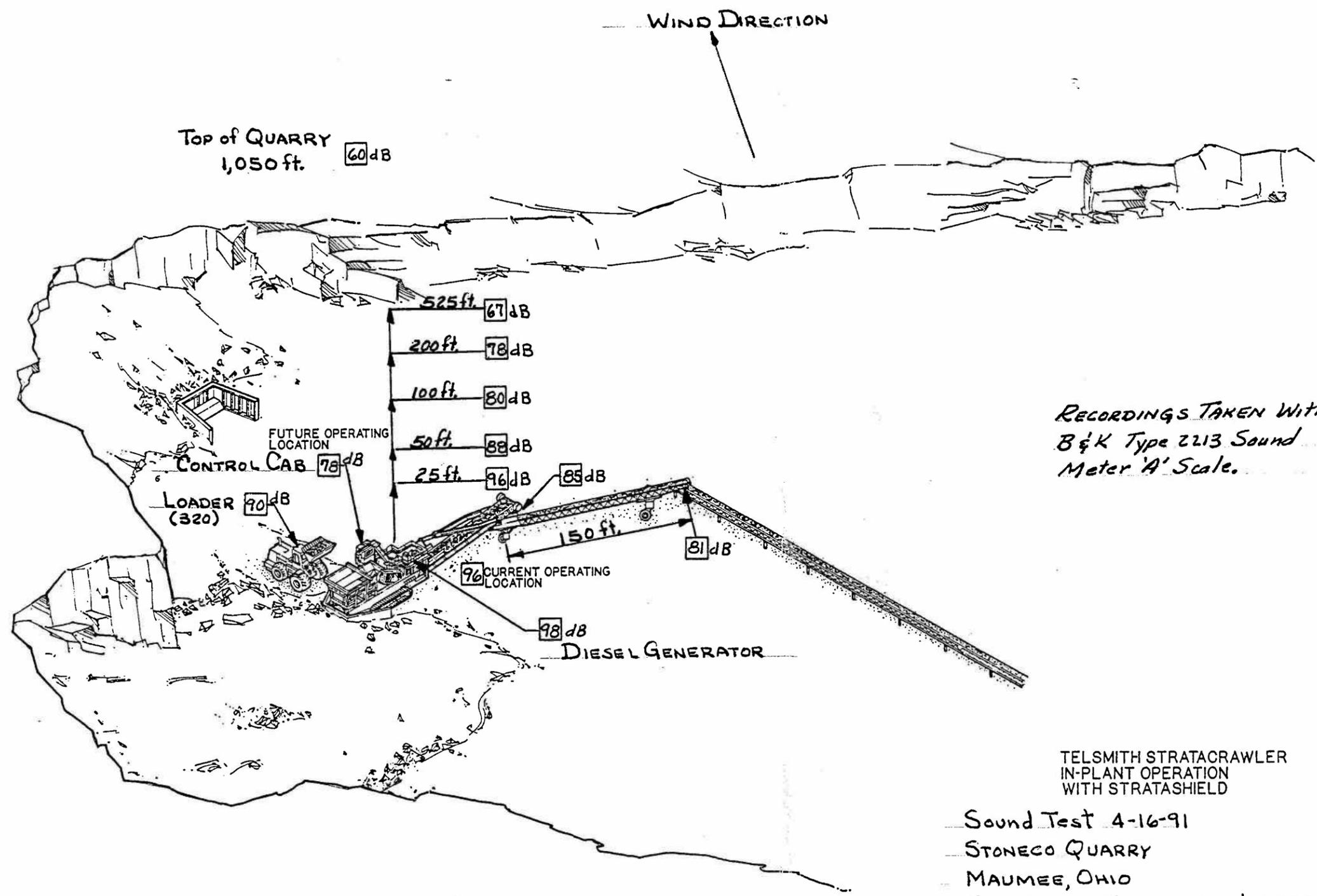
Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

SIGNATURE OF AGENT/APPLICANT

Date: _____

Signature of Agent James Cobbi Date: May 10, 2016

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.



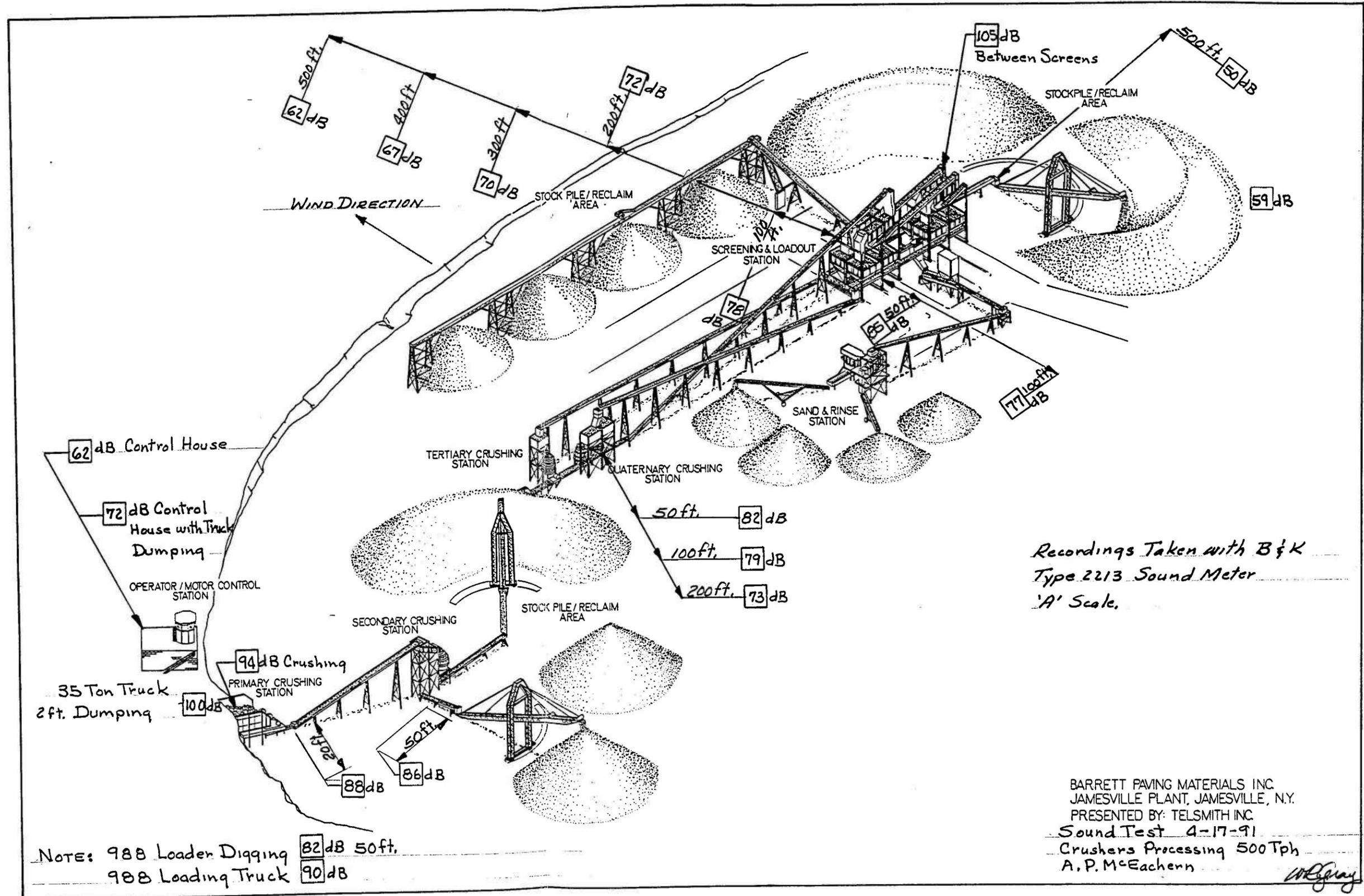
RECORDINGS TAKEN WITH
 B & K Type 2213 Sound
 Meter 'A' Scale.

TELSMITH STRATACRAWLER
 IN-PLANT OPERATION
 WITH STRATASHIELD

Sound Test 4-16-91
 STONECO QUARRY
 MAUMEE, OHIO
 PROCESSING STONE - 400 to 500 Tph.
 A. P. McEachern

NOTE: 35 TON QUARRY TRUCK 50' 90 dB

W. Gray

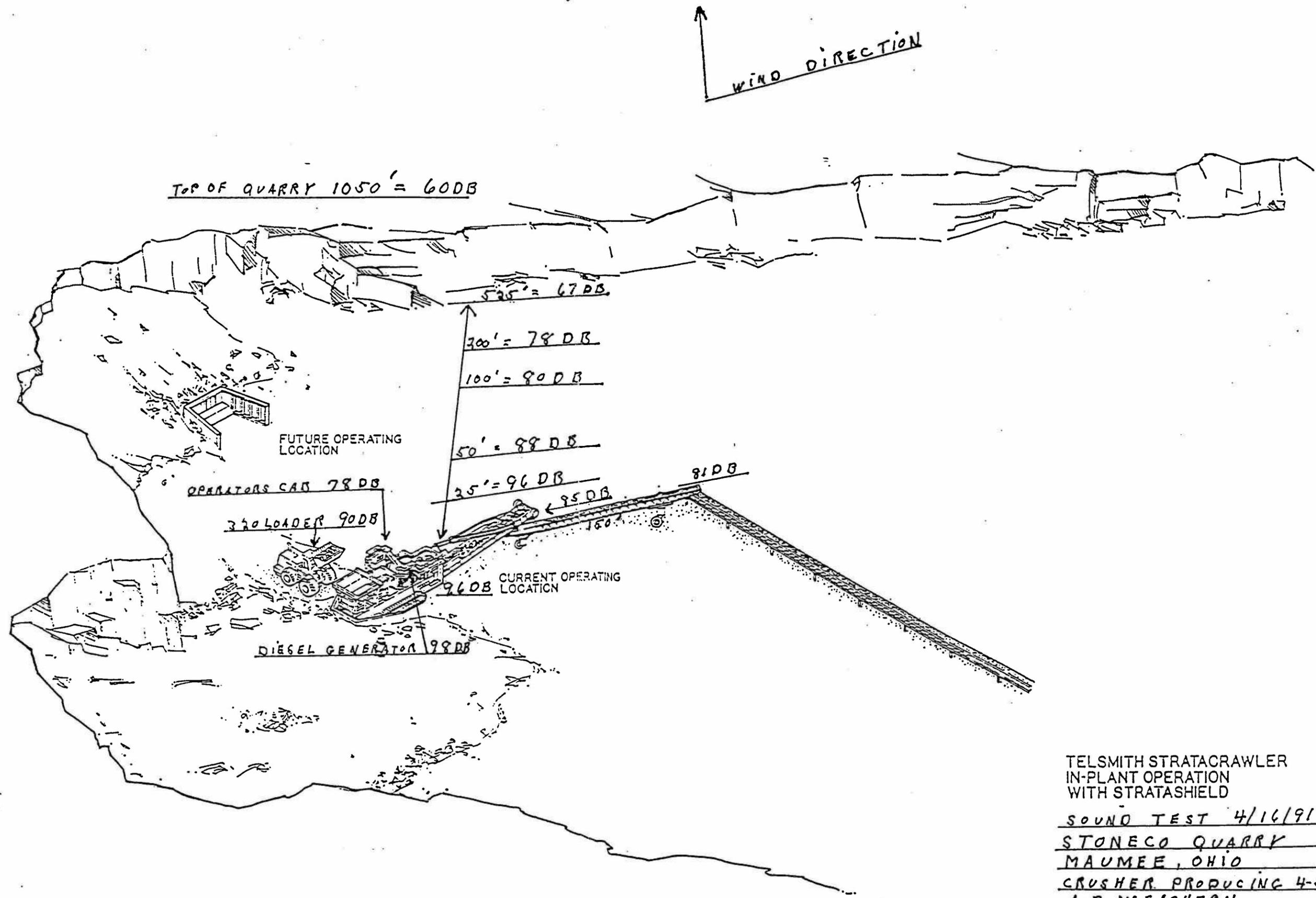


Recordings Taken with B & K
 Type 2213 Sound Meter
 'A' Scale.

NOTE: 988 Loader Digging 82 dB 50ft.
 988 Loading Truck 90 dB

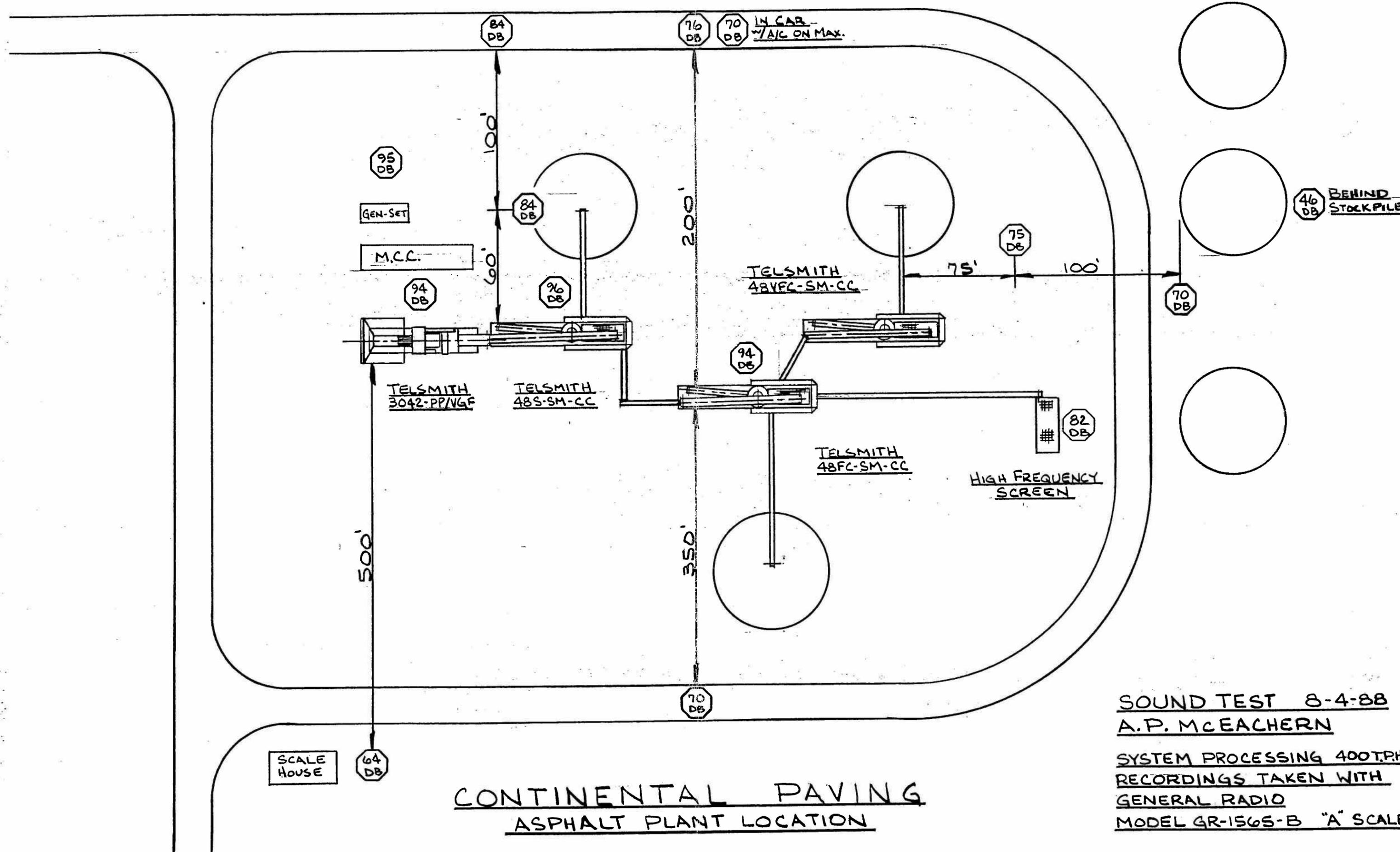
BARRETT PAVING MATERIALS INC.
 JAMESVILLE PLANT, JAMESVILLE, N.Y.
 PRESENTED BY: TELSMITH INC.
 Sound Test 4-17-91
 Crushers Processing 500 Tph
 A. P. McEachern

W. Gray



TELSMITH STRATACRAWLER
 IN-PLANT OPERATION
 WITH STRATASHIELD
 SOUND TEST 4/16/91
 STONECO QUARRY
 MAUMEE, OHIO
 CRUSHER PRODUCING 4-500TPH
 A.P. McEACHERN

NOTE: 35 TON QUARRY TRUCK 50' DISTANCE = 90DB



SOUND TEST 8-4-88
A.P. MCEACHERN
SYSTEM PROCESSING 400T.PH
RECORDINGS TAKEN WITH
GENERAL RADIO
MODEL GR-1565-B "A" SCALE



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041

CHANDLER E. WOODCOCK
COMMISSIONER

January 13, 2016

James Coffin
E.S. Coffin
432 Cony Road, PO Box 4687
Augusta, ME 04330

RE: Information Request - R.A. Cummings Quarry, Auburn

Dear Jim:

Per your request received January 05, 2016, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and fisheries habitat concerns within the vicinity of the *R.A. Cummings Quarry Project* in Auburn.

Our Department has not mapped any Essential Habitats that would be directly affected by your project.

Endangered, Threatened, and Special Concern Species

Bats

Of the eight species of bats that occur in Maine, the three *Myotis* species are protected under Maine's Endangered Species Act (MESA) and are afforded special protection under 12 M.R.S §12801 - §12810. The three *Myotis* species include little brown bat (*M. lucifugus*, State Endangered); northern long-eared bat (*M. septentrionalis*, State Endangered); and eastern small-footed bat (*M. leibii*, State Threatened). Four of the remaining bat species are listed as Special Concern: red bat (*Lasiurus borealis*), hoary bat (*Lasiurus cinereus*), silver-haired bat (*Lasionycteris noctivagans*), and tri-colored bat (*Perimyotis subflavus*).

While a comprehensive statewide inventory for bats has not been completed, it is likely that several of these species occur within the project area during migration and/or the breeding season. We recommend that you contact the U.S. Fish and Wildlife Service Maine Field Office (Wende Mahaney, 207-866-3344) for further guidance, as the northern long-eared bat is also listed as a Threatened Species under the Federal Endangered Species Act.

Significant Wildlife Habitat

Significant Vernal Pools

At this time, MDIFW Significant Wildlife Habitat (SWH) maps indicate no known presence of SWHs within the project area, which include Waterfowl and Wading Bird Habitats, Deer Wintering Areas,

Seabird Nesting Islands, Shorebird Areas, and Significant Vernal Pools. However, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. Therefore, we recommend that surveys for vernal pools be conducted within the project boundary by qualified wetland scientists prior to final project design to determine whether there are Significant Vernal Pools present in the area. These surveys should extend up to 250 feet beyond the anticipated project footprint because of potential impacts to off-site Significant Vernal Pools, assuming such pools are located on land owned or controlled by the applicant. Once surveys are completed, our Department will need to verify vernal pool data sheets prior to final determination of significance.

Fisheries Habitat

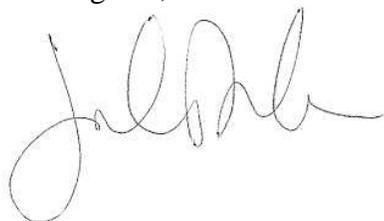
There is a stream in the vicinity of the proposed project. Without details, it is difficult to know what impacts your project may have on the mapped stream within the search area. That being said, MDIFW makes the following general recommendations as they pertain to streams.

We recommend that a 100-foot undisturbed vegetated buffer be maintained along streams. Buffers should be measured from the edge of stream or associated fringe and floodplain wetlands. Maintaining buffers along coldwater fisheries is critical to the protection of water temperatures, water quality, and inputs of coarse woody debris necessary to support conditions required by brook trout. Stream crossings should be avoided, but if a stream crossing is necessary, or an existing crossing needs to be modified, it should be designed to provide adequate fish passage. If a stream crossing is included in the project, we encourage you to contact our Region A Fisheries staff (207-657-2345) for crossing design recommendations that best maintain fish passage. Construction Best Management Practices should be closely followed to avoid erosion, sedimentation, alteration of stream flow, and other impacts to stream habitat. In addition, we recommend that any necessary instream work or work within 100 feet of streams occur between July 15 and October 1.

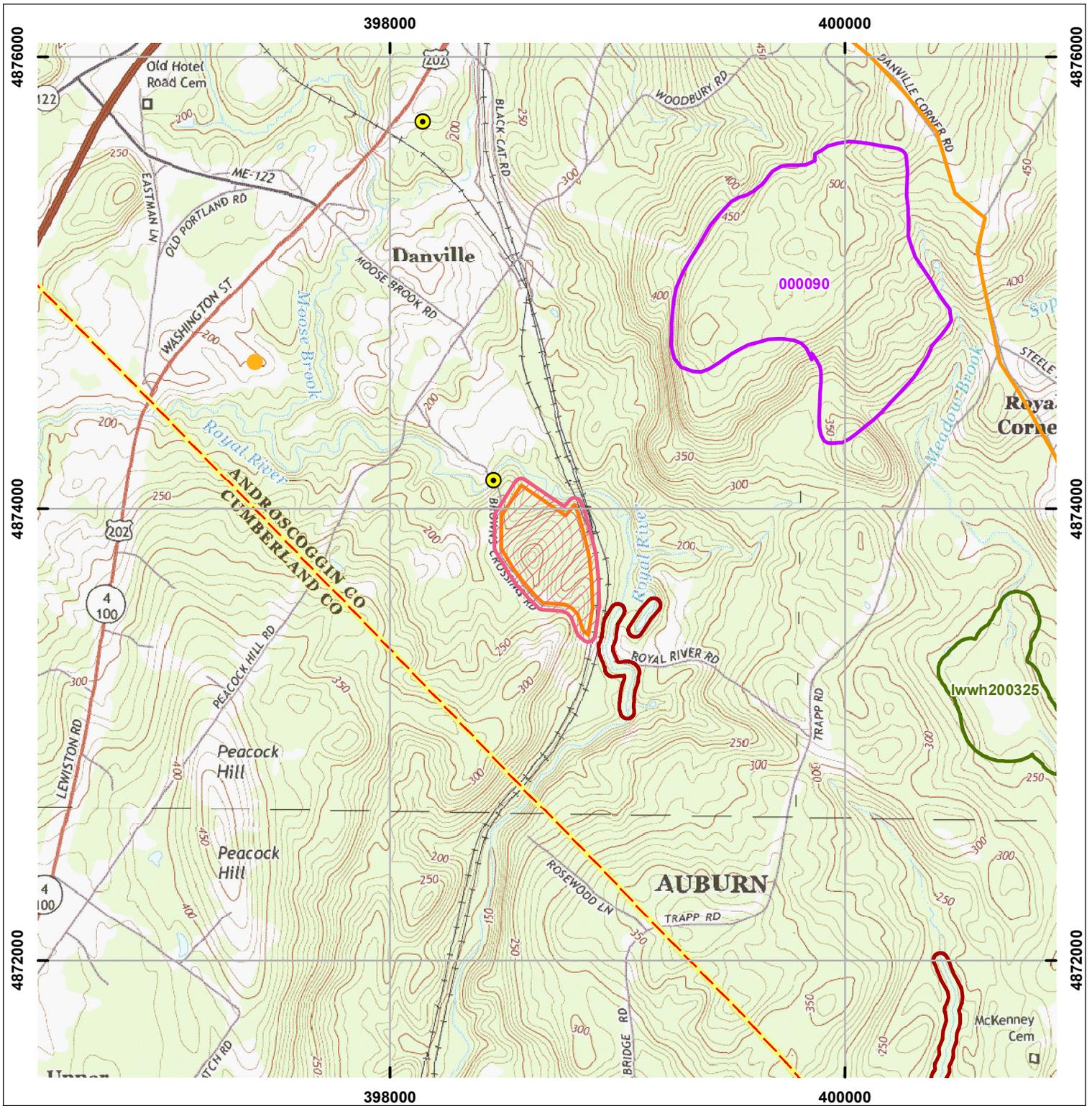
This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

A handwritten signature in black ink, appearing to read "John Maclaine". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John Maclaine
Environmental Review Biologist

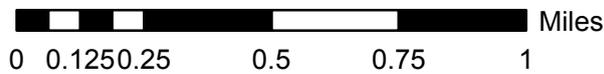


Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: Auburn, R.A. Cummings Quarry (Version 1)



Maine Department of
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 1/7/2016

	ProjectPoints		Deer Winter Area		Roseate Tern
	ProjectLines		LURC p-fw		Piping Plover/Least Tern
	ProjectPolys		Cooperative DWAs		Aquatic ETSc (2.5 mi review)
	ProjectSearchAreas		Seabird Nesting Islands		Rare Mussels (5 mi review)
			Shorebird Areas		Maine Heritage Fish Waters
			Inland Waterfowl/Wading Bird		Arctic Charr Habitat
			Shoreland Zoning_lwwh		E. Brook Trout Joint Venture Subwatershed Classification
			Tidal Waterfowl/Wading Bird		Redfin Pickerel/Swamp Darter Habitats (buffer100ft)
			Significant Vernal Pools		Special Concern-occupied habitats(100ft buffer)
			Environmental Review Polygons		Wild Lake Trout Habitats





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

PAUL R. LePAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

January 5, 2016

VIA ELECTRONIC MAIL

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

Re: Rare and exemplary botanical features in proximity to: Quarry, R.A. Cummings, Browns Crossing Road, Auburn, Maine

Dear Mr. Coffin:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received January 5, 2016 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Auburn, 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.

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

Rare and Exemplary Botanical Features within 4 miles of Project: Quarry, R.A. Cummings, Browns Crossing Road, Auburn, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Broad Beech Fern						
	SC	S2	G5	1895-09	13	Hardwood to mixed forest (forest, upland)
Fern-leaved False Foxglove						
	SC	S3	G5	1893-08-28	14	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
	SC	S3	G5	1895	12	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
	SC	S3	G5	1938-08-18	11	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
Large Whorled Pogonia						
	PE	SX	G5	1895	2	Hardwood to mixed forest (forest, upland)
Ram's-head Lady's-slipper						
	E	S1	G3	1935	11	Forested wetland,Hardwood to mixed forest (forest, upland)
Scarlet Oak						
	E	S1	G5	1893	1	Hardwood to mixed forest (forest, upland)
Tiny Lovegrass						
	PE	SH	G5	1908-11	5	Old field/roadside (non-forested, wetland or upland),Dry barrens (partly forested, upland)
Upright Bindweed						
	T	S2	G4G5	1958-06-22	10	Dry barrens (partly forested, upland),Old field/roadside (non-forested, wetland or upland)
Vasey's Pondweed						
	SC	S2	G4	1800	6	Open water (non-forested, wetland)

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>

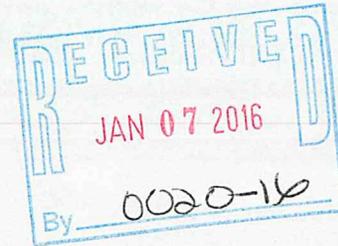
432 Cony Road
P.O. Box 4687
Augusta, ME 04330



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

January 04, 2016

Kirk Mohney
Maine Historic Preservation Commission
55 Capitol Street
State House Station 65
Augusta, Maine 04333



Subject: R.A. Cummings, Inc.
Browns Crossing Road
Auburn, Maine

Dear Kirk:

R.A. Cummings, Inc. own a parcel of land identified as Lot 9 on Tax Map 55 in the City of Auburn tax maps. The 42.77 acre parcel is located on Browns Crossing Road and is abutted to the north by Morin Brick, to the east by Maine Central Railroad and to the west by Gendron & Gendron. The owner is proposing to excavate the rock beneath the overburden and create a quarry. A Site Location Map (SLM) has been provided for your use.

Please identify any properties in the area of historic, architectural, or archaeological significance that this project may impact and if you should have any questions or concerns; please do not hesitate to contact me.

Sincerely,

James E. Coffin, PE

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohney,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

1/21/16
Date