

I. Amend §138-19.D(2)(b) by adding the following submission requirements:

9) The level of the seasonal high water table throughout the site.

J. Amend §138-19.D (3) to add the following performance standards:

(h) Within the BBA district the following additional standards shall apply.

(1) Excavation shall not extend closer than five feet above the seasonal high water table.

(2) Access to the site shall be secured by fencing and gates during all inactive periods and during non-working hours.

(3) No refueling of equipment shall occur. There shall be no on-site storage of fuel, lubrication or hydraulic fluids.

(4) Repairs of equipment shall take place only upon an impermeable surface equipped with drain to collect any spilled fuels, lubrication or hydraulic fluids. Otherwise all equipment shall be removed from the BBA district for repair.

(i) Equipment shall not be stored, serviced, used or permitted in the RP-BB district under any circumstances.

K. Amend §138-19.E(1) by adding an additional standard which applies only in the RP-BB and BBA districts:

(d) Within the RP-BB and the BBA districts only, no less than sixty days prior to the application of any "restricted use" pesticide, the applicator or land owner shall notify the Code Enforcement Officer of the name of the pesticide to be applied, the application rate and the projected application dates. A copy of this notification shall also be sent to the Kennebunk, Kennebunkport, & Wells Water District. The Code Enforcement Officer shall review the notification and consult with the Water District, notifying the applicator or land owner, in writing, if the pesticides or its application rates present a danger to the quality of the groundwater or Branch Brook. If the Code Enforcement Officer does not respond within thirty days from the receipt of the notification, the applicator may apply the pesticide in accordance with the EPA label and the rules of the Maine Pesticide Control Board.

L. Amend §138-19.E(7) by adding an additional standard which applies in the RP-BB district:

(1) Within the RP-BB district only, a harvesting plan prepared by a Registered Professional Forester shall be submitted to the Site Review Board. Copies of the plan shall be sent to the superintendent of the Kennebunk, Kennebunkport & Wells Water District, and the York County Soil and Water Conservation District for their review.

*Adopted
3/10/90*

A TRUE COPY ATTESTED:

*Marion B. Noble
Town Clerk*