

**Decision on an application for a Site Plan Review Permit  
under the Site Plan Review Ordinance for the Town of Starks  
Findings of Fact, Conclusions of Law, and Decision  
Planning Board, Town of Starks, Maine**

Date: November 17, 2021

**1. Name of Proposed Project:** Rackliff's Bottle Redemption Center

Applicant: Jeannie Rackliff

Contact Person: Jeannie Rackliff

Address: 2704 Industry Rd. Starks, ME 04911

Telephone: 696-8832

Cell Phone: 431-6662

Email: Jeannierackliff@gmail.com

Property Owner information: Jeannie Rackliff & Steven Rackliff

Proof of Right, Title and Interest has been provided Warranty Deeds dated March 31, 2004 and February 11, 1992. Somerset Registry of Deeds

Documents: 1573 Book 4241 pg.191 and 632 Book 4619 pg. 269

Type Business: Sole proprietor

**2. Is the proposed project part of a subdivision? shoreland zone? floodplain? No**

**3. Description of Project:**

Location (Town Tax Map): Map #: U1; Lot #: 16

Street Address: 2704 Industry Road Starks, Maine 04911

Size of Parcel: 3 acres

Existing Use(s): Residence/personal storage and garage, automotive garage

Proposed Use(s) Bottle Redemption Center

Structures (size) Existing quonset hut (1120 sq.ft.) 40' x 28' x 15'

Size of Impervious areas (see definition): N/A

**4. Summary of Submissions:**

Application: November 3, 2021

Application Fee: \$50 (Paid Oct. 25, 2021)

Attachments:

Request for waivers

Site Plan Review Application

Requests for waivers:

The request for waivers of the requirements for a Soil survey and topographic maps was granted at the Application Review meeting held on November 3, 2021. At the time, the proposed project was determined to be a “minor” development. Motions made and carried are documented in the minutes for that meeting

**5. Process:**

Date Board met to consider application: November 3, 2021

The application was determined to be a “minor” development.

Date Board determined the application to be complete for processing: November 3, 2021

**Upon a motion and a second to approve the application as complete, motion carried**

List of any waivers of application requirements (findings and conclusions for each)

Date Board held a public hearing: November 17, 2021

Date Board made a decision: November 17, 2021

**6. Public Comments:**

No questions or comments

**Findings of Fact, Conclusions of Law, and Decision**

**Planning Board, Town of Starks, Maine**

**Site Plan Review Document**

**7. Section 7 Approval Standards and Criteria**

**7.1 Standards and Criteria for Review**

**7.2 Lot Size and Setback Requirements**

The proposed project must comply with the lot size and setback requirements, and with the Building Ordinance for the Town of Starks.

Findings And Conclusions: The parcel is 3 acres in size with the redemption center building located 200 ft. from Route 43. Building Ordinance setbacks are met – at least 60’ from public road, and 15’ from side lines.

**Upon a motion and a second that the project is in compliance, the motion carried**

**7.3 Utilization of the Site and Preservation of Important Natural and Cultural Features**

The proposed project must reflect the natural capabilities of the site to support the proposed use. Buildings, lots, and support facilities must be located in those portions of the site that have the most suitable conditions for the development.

Findings: And Conclusions: The project is located on an existing developed site with suitable conditions where there are no environmentally sensitive areas or any archaeological, agricultural or historically significant sites.

**Upon a motion and a second that the project is in compliance, the motion carried**

**7.4 Water Quality and Quantity Protection**

The proposed project will not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.

Findings And Conclusions: The bottle redemption center will have a very limited, if any, need for water. Water is available at the adjacent garage and residence owned by the applicant. The project will neither utilize nor store hazardous or toxic substances.

**Upon a motion and a second that the project is in compliance, the motion carried**

**7.5 Water Supply**

The proposed project will have an adequate supply of water for the proposed use.

Findings And Conclusions: The bottle redemption center will have no separate water supply because there will be a very limited need for water. Any need for water will be supplied through water supplies at the existing, adjacent garage and residence owned by the applicant.

**Upon a motion and a second that the project is in compliance, the motion carried**

**7.6 Sewage Disposal**

The proposed project will dispose of sewage in compliance with the Maine Plumbing Code and the Maine Subsurface Wastewater Disposal Rules.

Findings And Conclusions: The building will not have a sewage disposal system.

**Upon a motion and a second that the project is in compliance, the motion carried**

**7.7 Solid Waste Management**

The proposed project provides for adequate disposal of solid waste. All solid waste will be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

Findings And Conclusions: The Redemption Center will contract with a private trash removal company for an onsite dumpster.

**Upon a motion and a second that the project is in compliance, the motion carried**

### ***7.8 Storage of Materials***

The proposed project must provide for adequate storage of materials.

Findings And Conclusions: All materials will be stored inside the building until picked up by distributors.

**Upon a motion and a second that the project is in compliance, the motion carried**

### ***7.9 Traffic Access, Internal Traffic Circulation and Parking***

The proposed project must have adequate traffic access, internal traffic circulation and parking.

Findings And Conclusions: The site has direct access to Route 43 with internal roads and parking that meet setback requirements and that will provide for adequate access. The site includes 10+ parking spaces in an 8000 sq.ft. area and anticipates 10-30 vehicles per day. As a condition of approval, the applicant will obtain a Driveway/ Entrance Permit from Maine DOT.

**Upon a motion and a second that the project is in compliance, the motion carried**

### ***7.10 Hazardous, Special, and Radioactive Materials***

The proposed project must adequately handle, store and use hazardous, special, radioactive, or explosive waste.

Findings And Conclusions: The project will not entail the use or storage of hazardous, special or radioactive materials

**Upon a motion and a second that Section 7.10 is not applicable to this project, the motion carried**

### ***7.11 Stormwater Management and Erosion and Sedimentation Control***

The proposed project will provide for adequate stormwater management and erosion and sedimentation control.

Findings And Conclusions: The project is located on flat ground and will not involve disturbance of soils and vegetation nor impact stormwater runoff.

**Upon a motion and a second that the project is in compliance, the motion carried**

### **7.12 Nuisance and Aesthetics**

The proposed project will not create any nuisances or be aesthetically detrimental.

Findings And Conclusions: The proposed project is designed so as not to incur any off-site adverse impacts including unreasonable noise, excessive traffic, or light pollution. Operating hours will be M-W-F 10 a.m- 4:00 p.m and T-Th 1:00 p.m-7:00 p.m.

**Upon a motion and a second that the project is in compliance, the motion carried**

### **7.13 Signs**

The project will have adequate signage consistent with the height and lighting standards.

Findings And Conclusions: The applicant proposes a wooden sign measuring 3'x 3' secured to the building in addition to a small (1' x 2') sign by the driveway entrance. Neither sign will be higher than 20 feet.

**Upon a motion and a second that the project is in compliance, the motion carried**

### **7.20 Capacity of the Applicant**

The applicant will have the financial and technical capacity to carry out the project in accordance with this Ordinance and the approved plan.

Findings And Conclusions: The applicant anticipates covering the startup costs (\$1500-\$2000) and has demonstrated the financial and technical capacity to run a successful business.

**Upon a motion and a second that the project is in compliance, the motion carried**

### **7.21 Impact on Community Services**

The proposed development will not adversely impact or reduce the quality of any community service, including, but not limited to, emergency services, road capacity, maintenance and snow removal.

Findings And Conclusions: There will be minimal impact to community services. The driveway will be maintained by the proprietors. Appropriate signatures from Starks' Road Commissioner and Fire Chief are attached.

**Upon a motion and a second that the project is in compliance, the motion carried**

### **7.22 Conformance with Other Laws**

Proposed developments and activities shall be in conformance with all other applicable local, state and federal laws and regulations.

Findings And Conclusions: Appropriate permits will be secured as a condition of approval. This includes a State of Maine Redemption Center License and a Maine DOT Driveway/Entrance Permit.

**Upon a motion and a second that the project will comply with this Section, the motion carried**

The following sections are not applicable: 7.14 Landscaping, 5.15 Common Open Space, 7.16 Auto Graveyards, Auto Recycling Businesses and Junkyards, 7.17 Commercial Water Extraction, 7.18 Kennels and Veterinary Hospitals and 7.19 Multifamily Developments.

Upon a motion and a second the above sections are deemed not applicable, the motion carried.


**Because the Planning Board concludes that the application conforms to the Town's Site Review Ordinance, the Board grants the Site Review Permit with the conditions as outlined herein.**

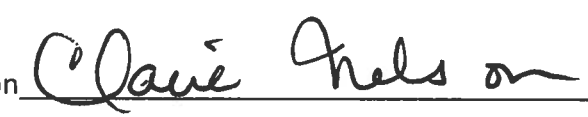
**Condition: Any expansion, significant modification or changes to the original plan will require further Planning Board approval.**

Upon a motion and second to approve the application and grant a permit, the motion carried.

Approved: Town of Starks Planning Board

Gwen Hilton  Date 11/17/21

Ken Lust  Date 17 Nov 21

Claire Nelson  Date 11.17.21

Joe Hartigan  Date 11/17/21

Heigh E. Hoar  17 Nov. 2021