



July 24, 2026
250067-01

John Wiesemann, *Code Enforcement Officer*
Town of Casco Planning Board
635 Meadow Rd., Casco ME 04015

RE: Contract Zoning Renewal Application – Comment Response Letter
P&K Sand & Gravel and CBJ Properties, Inc.
Heath Quarry, 90 Indian Acres Road, Casco ME; Tax Map 9, Lots 25-A & 30-1

Dear Mr. Wiesemann and Members of the Planning Board,

On behalf of Cory Mitchell, President of P&K Sand & Gravel, and CBJ Properties, Inc., Sebago Technics, Inc. is pleased to submit this letter to address comments and outline revisions made at the request of the Planning Board at the June 22, 2026, meeting to the Contract Zoning Agreement (CZA) renewal application for P&K Sand & Gravel's Heath Quarry property. The subject site is located at 90 Indian Acres Road in the Town of Casco, and can be further defined on the Town's Tax Map 9 as Lots 25-A and 30-1.

Revisions to CZA & Public Comments:

As discussed, the following changes have been made to the CZA language:

- Added language regarding 25-year extension (pg. 1).
- Added blank line per Town Planner Memo (pg. 2).
- Updated mapping and reference language to appropriately align.
- Removed the requirement concerning the 2-acre maximum (pg. 3).
- Added transferability clause to existing Binding Effect Section (pg. 4).

Following the June 22, 2026, Planning Board meeting, we received a number of comments submitted by the public to the Town Office. Comments from the public largely related to concerns about a rezoning and about any expansion of operations. It is important to note that this project no longer proposes any rezoning or expansions of the current use at this time. This application is solely for the renewal of the CZA, and the concerns about water quality or natural resources remain under the Planning Board's purview under the Site Plan Review process. Where this application is to renew the existing CZA, these items can and should be discussed during that separate and independent review process. We note that the language of the CZA states that the Planning Board shall review and recommend that the Board of Selectmen extend the Agreement if there are no significant changes to P & K's operations and the operations continue to comply with all State and local laws, statutes, rules, regulations, codes, ordinances and orders. P & K have not proposed any significant changes and their operations are in compliance with all applicable laws. Therefore, the Planning Board is required under the existing CZA to recommend extension of the Agreement.

Water Quality Committee Comments (Received June 22, 2026):

Additional comments were received at the latest Planning Board Meeting submitted by Tom McCarthy, Chairman of the Casco Water Quality Committee. While some of these comments relate to the content of the CZA, we respectfully note that the Planning Board has not solicited specific review or feedback from the Committee, and question the source of how these comments were generated. We remain hopeful that the committee is not meeting to discuss our application without the opportunity for the Applicant to be present at meetings, and that open conversations through the public forum is respected and required.

It is important to emphasize that this application before the Board is solely for the renewal of the Contract Zone. This CZA relates to allowing for mineral extraction and processing as permitted uses which enable P&K to operate. While we appreciate the committee's desire to provide more certainty around specific site elements, it is important to remember that there is an existing and approved Site Plan on-file with the Town, and the Applicant has approved stormwater management plans, erosion and sedimentation control plans, and reclamation plans on-file with MDEP. As such, these items should not be included in the CZA, as they are not relevant to this separate venture to solely renew the CZA, as they more appropriately fall under the Site Plan Review process.

Similarly, where P&K has an approved Site Plan on-file with the Town of Casco, P&K is limited to following and complying with that plan. Concerns related to potential expansions or deviations from this plan would require a separate Site Plan Review from the Planning Board. While we appreciate the requests for logs, plans, and clarity on future business operations, these requested items to not relate to this application to renew the zoning agreement, and would fall under a separate purview for the Board to review during the Site Plan Review process.

Additional concerns were submitted related to water quality and sensitive natural areas. It is important to note and clarify that the project's scope no longer includes the Hancock lands that surround Hog Meadow. As shown on the enclosed mapping exhibit, the CZA contains an internal one-hundred (100) ft. buffer from property lines. These are buffers that are existing and currently maintained to provide sufficient separation from adjacent properties. Similarly, there are other buffers defined on the Town of Casco's Zoning Map that relate to natural resources through Shoreland Zoning. As shown on the attached map, these resources have buffers under either Resource Protection, Limited Residential-Recreation, or Streams-Wetlands Protection sub-districts. Activities located within these buffers are subject to stricter and additional standards as defined within the Town's Shoreland Zoning Ordinance. Therefore, through the use and maintenance of buffers, the existing site meets and exceeds the expectations defined within the Town's Comprehensive Plan.

There were also additional comments from the WQC related to transferability. The original CZA made it clear that the CZA is transferable, as the terms were binding on all successors, heirs and assigns. We have amended that section of the CZA to include a requirement that

P&K notify the Town of any sale of the property or change in 50% or more of the ownership of the company. It is critical to the value of the property and the rights of P&K that the CZA continue to be transferable. The property has been used for this purpose for over thirty years. Similarly, it is important to note that this CZA is for the land use, and that if the Applicant were to sell to a new owner, that new owner would be subject to transferring permitting processes as required by MDEP, as well as the Town's Site Plan Review process for any expansions in business operations.

Closing:

We thank the Town and the Planning Board for the opportunity to address these comments for the August Planning Board meeting. Should you have any questions, please contact me by telephone at (207) 482-6323 or by email at bwiemken@sebagotechnics.com. We look forward to collaborating with the Town of Casco throughout the duration of this project.

Sincerely,
SEBAGO TECHNICS, INC.



Brett Wiemken
Planning Consultant/Project Manager



Jim Seymour, PE
Director, Regional Operations

Cc. Cory Mitchell, *President, P&K Sand & Gravel, Inc.*
Mary Costigan, *Bernstein Shur*

Enc. Amended Contract Zoning Agreement
Exhibit A – Contract Zoning Map