

Northern Maine Brownfield Steering Committee Meeting
February 11, 2010
Northern Maine Development Commission Boardroom

Attendees: (In person) Jeff Packard, Barbara Pitcairn, C.P. Harris, Jay Kamm, Connie Bondeson, Nathan Hersey

(Conference call) Brain Beneski, Carol Bell, Frank Wezner, Craig Staples, Norm Cyr

I. Welcome and Introductions

This month's meeting was held at the Northern Maine Development Commission. Attendees introduced themselves and the meeting started at 10:00 am.

II. Review of Minutes of the August 13, 2009, meeting

No quorum to approve the August 13, 2009, meeting minutes.

III. Brownfield Revolving Loan Fund

Julie Corey gave the Brownfield steering Committee an overview of the Committee's role in the Brownfield Revolving Loan Fund (BRLF). Even if NMDC does not receive another Brownfield Assessment Grant, the Committee is the first line of contact and approval for the BRLF. To qualify for the BRLF, the site needs to be a designated Brownfield and must have had a Phase I and Phase II ESA completed.

Question: Recently did a Phase I ESA on a property, not using NMDC's funds, for a private developer. It appears we are going to be doing a Phase II ESA. Should the Phase II identify contamination, those parties then would be eligible to apply for NMDC BRLF?

Answer: Yes, the Phase I and Phase II must be completed prior to applying for BRLF.

Question: In the example just given, that would still channel through this Committee?

Answer: Yes.

In the future, Julie Corey will be attending the Brownfield Steering Committee meetings as an advisor for the BRLF.

Question: Once you make them a loan is it assumable? If another party wanted to purchase the property would it need to be paid off upon the sale?

Answer: It depends on the business. We are not going to clean-up a piece of property so it can be sold to sit idle. Yes, it could be assumed. They must have a plan for the property.

Question: What is the worst case scenario ... if someone does get the BRLF and they do not develop the property?

Answer: The loan itself is going to be based on their ability to pay back the loan. Worst case scenario is they have cleaned it up.

Municipalities are eligible for the BRLF, as long as they did not cause the contamination and they own the property.

If people are interested in the BRLF, information was posted to www.northernmainebrownfields.org

III. Update on Phase II ESAs

Nate Hersey, with County Environmental Engineering, had the following information for the Committee. The potential site spreadsheet was recently updated. A total of 30 sites are currently on the spreadsheet. Between the sites that already have a Phase I and a Phase II ESAs completed on them and the sites that we do not have property owner approval, or a prior Phase I was completed, takes 16 away, leaving 14. Several of those sites we have identified with low redevelopment or reuse potential. A few new sites were added recently – sites # 25-30 on the spreadsheet.

Site #30- CEE removed the underground tanks there last November ... encountered some contamination. Took soil sample and it seemed to be pretty clean. However, a full Phase I has not been completed on the property.

Site #28- is out of service. The DEP's position right now is that the tanks need to be removed.

Site #26- is located in a fairly industrial area of that community. CEE removed six tanks there in the summer of 2008, with no contamination found, but no full Phase I ESA done. That property was a gas station/oil company for years.

Site #25- Spoke with the Community and the owner still the Capital Group. Had a foreclosure sale this summer and no one bought it. The community is potentially interested in it, but there are underground tank compliance issues there.

The tanks would have to come out and replaced with above ground tanks replaced at least 300 feet away from a neighbor's well. The sitting requirements for above ground tanks are the same as underground tanks.

On site #24, that situation has been taken care of. That can be taken off the list.

Site #28 – if the tanks come out, more tanks won't be going back in due to the sitting requirements...can't be 300 feet from a private well. Can't be 1000 feet from public well and can't be on sand and gravel aquifer. If a tank is taken out of service, they have 12 months to apply in writing to the DEP for an extension to keep it out of service. If they do not do that within that 12 month, and the period expires, under law, the tank has to be removed. If the tank is

out of service for three months or longer, to bring it back into service, you have to have precision test done. If the owner were to approach the tank people at DEP, with a plan to satisfy their concerns, they might be able to bring it back up.

Site #14- That tank is back up and running and in compliance. Current owners are using to fuel their own vehicles.

Site # 12- This property is for sale. There were three underground tanks registered to the property. In June 2005, the buildings burnt down that sat on this property.

At this time, the Committee reviewed the update spreadsheet with the 30 sites and commented on the following sites:

Site

#1-Not eligible

#2&2a- Not eligible

#3 Rod's Service- NMDC completed Phase I

#4- Because of Shoreland Zoning, not much can be done there.

#5- Low redevelopment potential

#6- Looks like DEP will have involvement with this site.

#7- Property owner not interested.

#8-Property owner not interested.

#9-Property owner not interested.

#10- CEE completed Phase I on property (not under NMDC's grant.)

#11- RLC Northern Enterprise – NMDC Completed Phase I &II and was sold.

#13- NMDC completed Phase I & Phase II

#16-NMDC completed Phase I

#17- NMDC completed Phase I

#18- Based on discussions with Code Enforcement Officer, redevelopment potential is low.

#19- NMDC Completed Phase I & Phase II.

#20-Property owner is not interested.

#21- Property owner is not interested

#22- NMDC completed Phase I& Phase II

#23- NMDC completed Phase I

#24- Property owner is not interested.

IV. New Sites

The Committee left sites #12, #14, #15, #25-#30 from the spreadsheet as new potential sites.

V. Steering Committee Nomination

After the last NMDC Board meeting, was approach with a names of a potential new members.

Scott Allen, Smith and Wesson, Houlton.

John Bannen, Economic and Community Development Director, Fort Kent.

Jim Gardner, Town Manager, Ashland

We will take the nominations up at the next Brownfield Steering Committee meeting, due to no quorum at today's meeting.

VI. Next meeting

The next Brownfield Steering Committee meeting will be held on May 13, from 10am-12pm at the Caribou Inn and Convention Center. Lunch will be served.

We will send email prior to the meeting with the Committee nomination suggestion. In addition we will be accepting sites for potential inclusion in to the program until May 10th. That will allow CEE time to research the site, speak with the property owner, and update the spreadsheet prior to the meeting on the May 13th. During the May 13th meeting, we will be reviewing; scoring and nominating two sites for Phase I ESAs upon approval form the DEP/EPA.