

ORDINANCE

STANDISH TOWN COUNCIL

DATE: May 12, 2026

ORDER NUMBER: 34-26

SUBMITTED BY: Watson

TITLE: AMENDMENTS TO STANDISH TOWN CODE, CHAPTERS 181 BLASTING

The Town of Standish hereby ordains that Chapter 181, Blasting of the Standish Town Code, be and hereby is amended as follows (Additions are underlined; deletions are struck out.)

**Part 1
Zoning**

**Article IV
General Standards**

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§ 181-16 Gravel pits.

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E. Type 3 operations: standards for new excavation operations, expansions over five acres and existing excavated areas or areas approved for excavation where the excavated area is five acres or larger.

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(4) Excavation regulations. ~~New excavation~~Type 3 operations shall follow the excavation regulations listed below:

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(k) All blasting associated with use of a permitted gravel pit must also be permitted under the requirements of § 181-16.1. In addition no such blasting, except that which is reasonably necessary for the construction or maintenance of drainageways or accessways, as determined by the Code Enforcement Officer, shall occur within 200 feet of an abutting property boundary line or 300 feet of a structure not owned by the applicant, except if written permission is first obtained from the abutting property/structure owner. Any written permission to allow blasting under this section must be recorded in the Registry of Deeds by the applicant prior to receipt of any local permitting (not simply

as a condition of approval). Blasting within a permitted gravel pit must follow all requirements in state statute for abutters notices and preblast surveys.

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§ 181-16.1 Blasting

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B. Permit required. A permit shall be obtained prior to any blasting with explosive devices or materials for any purpose within the boundaries of the Town of Standish.

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(2) All applications shall contain the following information:

- (a) The name of the applicant.
- (b) The name of the property owner.
- (c) The general contractor.
- (d) The locations of the proposed blasting activity.
- (e) The total number of cubic yards of material to be removed by blasting.
- (f) An estimate of the number of blasts required to remove the specified amount of material.
- (g) A description of the project for which the blasting is being undertaken.
- (h) A list of abutting properties within 500 feet of the property on which the blasting will occur, as measured between their nearest property boundaries, with the names and address of the property owners and the adjacent land uses of the properties.
- (i) A map of the property showing the specific area in which blasting is proposed. This area will represent the largest extent where blasting is being considered, no blasting shall be done outside of the identified area without submitting for a new permit, complete with noticing of abutters as required.
- (j) The location of adjacent structures and distance from the proposed blasting area to those structures.
- ~~(j)~~(k) The projected dates work is to be undertaken.

(3) Upon receipt of a completed application, the Code Enforcement Officer shall review and act upon the application within 10 days or, as appropriate, forward the application to the Planning Board within 10 days.

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(4) Public hearing. The Planning Board shall conduct a public hearing on applications for blasting and removal of more than 300 cubic yards of material total per project.

- (a) All abutting property owners within 500 feet of the property line of the property for which the permit is requested shall be notified by first-class mail at least 10 days prior to the date of the hearing. A list of names and mailing addresses shall be provided as part of the application. ~~Such notification shall be the responsibility of the applicant, and evidence of such notification shall be provided to~~

~~the Planning Board.~~ Failure of property owners to receive the notice sent under this section does not invalidate any action taken by the Planning Board.

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C. Performance standards for all blasting.

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(2) Preblast surveys and water testing.

(a) The applicant shall offer preblast surveys to the owners of any of any structure on a property requiring written notice of blasting under § 181-16.1 D. Preblast surveys shall be conducted by an independent firm. The cost of a preblast survey for a structure located within the following distances of the proposed blasting area identified in § 181.16.1 B(2)(i) shall be borne by the applicant while the cost of all other preblast surveys shall be borne by the property owner (but facilitated by the applicant as requested). Preblast surveys must include a written description and either video or photographic documentation of any preexisting conditions on the inside and outside of each building.

[1] Blasting and removal of 300 cubic yards or less: 250ft

[2] Blasting and removal of more than 300 cubic yards: 500ft

(b) The applicant shall offer to perform preblast water tests to the owners of any well on a property requiring written notice of blasting under § 181.16.1 D. Water testing shall be done by an independent firm. The cost of a preblast water test for a well located within the following distances of the proposed blasting area identified in § 181.16.1 B(2)(i) shall be borne by the applicant while the cost of all other water tests shall be borne by the property owner (but facilitated by the applicant as requested). The water test must document the flow rate of the well prior to blasting, as well as the levels of coli form bacteria, e-coli, nitrate, pH, copper, iron chloride, manganese, arsenic, calcium, and sodium.

[1] Blasting and removal of 300 cubic yards or less: 250ft

[2] Blasting and removal of more than 300 cubic yards: 500ft

(c) When an owner or occupant of property does not respond to the required notice or denies permission to enter a property to conduct surveys or water tests, the applicant shall list the names and addresses of all properties where such permission was not received or was denied and submit a copy of the list to the Code Enforcement Office at least 24 hours prior to first planned detonation. Submission of such a list creates a rebuttable presumption of the applicant's compliance with this subsection.

- ~~(2) Water quality protection. Water is a precious resource and measures shall be taken to protect groundwater quality. The Planning Board or CEO may require water quality testing of private wells within 250 feet from the property line.~~
- ~~(3) Under no circumstances shall the Planning Board permit any blasting for rock or mineral extraction as follows:

 - ~~(a) Within 200 feet of an abutting property boundary line except if written permission is first obtained from the abutting property owner; or~~
 - ~~(b) Within 300 feet of a structure not owned by the applicant. Any written permission to allow blasting closer than 200 feet must be recorded in the Registry of Deeds.~~~~
- ~~(4)(3) Ground vibrations, air blast overpressure and seismographic records shall meet state standards.~~

D. Notices required for all blasting following issuance of a permit.

- (1) Notice of blasting shall be sent via certified mail to all landowners, all owners of public water and sewer services, and any other entity owning or responsible for maintaining underground public utilities within 500 feet from the property line of the property containing the proposed blasting are, at least 14 days prior to the intended date of the first blast. Said notice shall indicate the location of the proposed blasting; approximate date and times that the blasting will occur; the name, address and telephone number of the entity that will actually perform the blasting operation; information on how to request preblast surveys and water tests as required under § 181-16.1 C(2); and information on how to request notice of impending blasts as required under § 181-16.1 D(4).
- ~~(2) Any person intending to detonate explosives or entity authorized to blast under this section shall first notify the Code Enforcement Officer or his duly authorized representative their designee that a blast is planned. Such notification shall must be received and acknowledged by the CEO or their designee at least 24 hours prior to the planned detonation and shall give the time (within two hours), location where the blasting is to be done, the amount of explosives to be used and the name and business address of the person responsible for the blasting operation. Additional notification shall be given at least one hour prior to the planned detonation to the Standish Public Safety Department and the Cumberland County Regional Communications Center. The notification may be given orally over the telephone; however, the burden of proof as to whether the notification was in fact received rests with the person responsible for the blasting operation.~~
- ~~(23) The person or entity responsible for a blast shall notify the Code Enforcement Officer in the event of any misfires and the proposed corrective action.~~
- ~~(34) Prior to any blast, the person or entity responsible for the blast shall inform all property owners who have requested in writing to be so informed, under § 181-16.1 D(1), of the impending blast. Such notification shall be given by telephone at least 24 hours prior to the blast stating the time of the blast. The burden of proof as to whether the notification was in fact received rests with the person responsible for the blasting operation.~~
- (5) The failure of a permit holder to submit proof of mailing all required notices under § 181-16.1 D(1) or the failure to provide the Code Enforcement Officer or their designee with notice of blasting under § 181-16.1 D(2) constitute violations of this section and may subject the permit holder to enforcement action under § 181-52.

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APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

GARDNER _____

CHRISTY _____

DEAKIN _____

POMERLEAU _____

STRUEBING _____

THOMAS _____

WATSON _____

CLERK/SECRETARY _____

TOWN COUNCIL CHAIR _____