



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

May 5, 2010

6:30 p.m.

MINUTES

CALL TO ORDER: Meeting was called to order at 6:30 pm by Bill Najpauer of Renaissance Planning Associates.

ROLL CALL: Members present were Frank Higgins, Henry Hodges, Tom Vanchieri, Susan-Dunham Shane, Jeff Thurlow, Charles Norburg, CEO, Russell Smith, Town Manager, Bill Najpauer and Sara Flacks.

NEW BUSINESS: This meeting is an ordinance workshop with Renaissance. Bill prepared a paper with the proposed ordinance revisions from the two previous Public Hearings. (Gretchen had inserted Her comments onto this paper and they were included in the discussion. The following are some of the items changed:

In the Zoning Ordinance:

Typos will be corrected

Revise the applicability language for the noise standards to “The following uses shall comply With the noise standards: all new and expanded or enlarged existing commercial and industrial uses as listed in the District Use Chart; new and expanded or enlarged existing lumber mills/sawmills, resource extraction/mining uses, and re-use of existing agricultural buildings.”

Revise the definition of a structure to: “Anything constructed or erected, including manufactured housing and including, but not limited to, mobile homes, box trailers, signs which require location in the ground or attachment to something on the ground. The following are not considered as structures, fence, boundary wall or unattached buildings 100 square feet or less and subsurface wastewater disposal systems.

Clarified that the setbacks in the Dimensional Table refer to the principal building which would be the house for residential property, and the building that houses the activity for a business.

Detached accessory structures are subject to the relaxed 10’ setback, such as a garage or a pump house. (need to specify that garage is an accessory structure unless attached.)

108.1.4 – change to “A written petition of a number of registered Eddington voters equal to at least 10% of the voters in the last gubernatorial election.”

1005.4 – Remove this section (real estate sign reference) If it does become a problem, it can be amended.

Earth moving activities – remove the noise requirement and expand the hours for these activities to 7:00 pm.

Revise the definition of Extraction/Mining to “ Any operation within any 12-month period where the principal use is the removal of more than 100 cubic yards of soil, topsoil loam, clay rock,

peat or other like material from its natural location and that transports the product removed away from the extraction site. The incidental removal of material necessary for construction is not included.”

Add a definition for Earth Moving – “ Any removal of earth from its original location and not defined as resource extraction/mining.

The permitting requirements for earth moving were reviewed and the Board agreed to leave it as it is in the draft.

Add the following bullet note to the Dimensional Table: “All side, rear and front setbacks are measured between property boundary and the closest portion of a structure, including eaves, decks, porches, steps and other similar building features.”

503.3.3 – Replace “septic system and associated fields” with “subsurface wastewater disposal system”

Add section 703.1.4 – “All applicable requirements of the State of Maine Plumbing Code and Subsurface Wastewater Disposal Rules shall be met.”

Change the Road Frontage requirements for the Rural A District and Conservation District to 400’.

Add that “As of (the date of acceptance of the Ordinance) all legal nonconforming lots of record in Rural Residential and Rural A District shall be subject to the setback in the current Ordinance. (10’ all the way around.) (At the top of the Dimensional Table add “All structures are subject to the following dimensional requirements, except access residential structures.)

In the Dimensional Table, the Conservation District lot size acres should be 10 acres minimum.

May want to specify that a right-of-way is not included in the frontage.

104 Applicability – Add “The provisions of this Ordinance shall govern the use of all land and structures with the Town of Eddington except for areas subject to the Town of Eddington Shoreland Zoning Ordinance and identified on the Shoreland Zoning Map.

6.2 – Location of Districts – Add the following “The official zoning map does not show Shoreland zoning districts which are governed by the Shoreland Zoning Ordinance and Shoreland Zoning Map.”

6.5.6 – Shoreland Districts – Remove this sub-section

In the Subdivision Ordinance

Page 12, #16 – Change the wording to “The location of all scenic areas and rare and endangered Plants as identified on the Beginning with Habitat Maps for the Town of Eddington.”

Section 405.1 – Change working to “Any development proposed within a Sand and Gravel Aquifer as identified by the State of Maine Department of Conservation, significant Sand and Gravel Aquifers Maps....”

The Board then reviewed a paper which Charles Grover Jr. had prepared which contained questions about the draft Zoning Ordinance.

1. Page 20, 6.7 - Setback changes – The Board discussed that the front setbacks are measured from the right-of-way of the road. The setbacks had been discussed earlier in the meeting and it was decided nothing existing will be impacted by the setback. Charles feels that changing the front setback from 10’ to 50’ may cause people to vote the Ordinance down. Changing the front setback from 50’ to 30’ was discussed, but no decision was made.
2. Page 22, 708 – Noise Standard - This section refers to performance requirements during review of applications for new commercial development or existing expansion. The town would hire someone to do the sound tests and the applicant would pay for it or the Town could purchase a noise meter.
3. 708.1 – As mentioned in #2, refers to new applications for commercial development. The hours allowed stayed the same. Page 31, 809.2.2.6 refers to earth moving, excavation, etc. The hours of operation were extended to 7:00 pm.

4. Page 30, 809.12 – Permit requirements for excavation of earth. Will remain the same as in Draft Zoning Ordinance.
5. Page 46, 1007.8.2 – RV park and tent sites 2000 square foot lot size will stay as it is.
6. Page 46, 1007.8.3 - Will remain as written
7. Page 49, 1009.1 – Change the wording to incorporate: Junk Yard Permits require site plan approval from the Planning Board and the permit is issued by the Selectmen for all existing and new operations.

The Board then started discussing the Zoning District Map. Russell informed the Board that Rodney Buswell Sr. called him and requested that his property at the Clifton line be changed from Rural A District to Mixed Use District. It was felt that if the land that abuts this property is zoned Commercial in Clifton, it would make sense to do it as mixed use in Eddington. It was agreed to change it to mixed use. They then discussed the triangle shaped piece of land behind Peavey's on Rt. 9 and it was decided to change it from Commercial to Rural Residential. Bill would like to schedule another meeting to finalize the Zoning Map.

Charles had sent everyone copies of variances that they will discuss at the next meeting also. He would like everyone to look them over and realize that if they want to go in that direction it has to be listed in the Ordinance.

OTHER BUSINESS: The next regular meeting will be Monday, May 10, 2010 with Renaissance to work on the Zoning Map and address the variances Charlie mentioned. (Jeff will be late) There will be a regular meeting Thursday, May 13, 2010, which will address an application, copies have been forwarded to the Board and will then be a Windmill Ordinance Workshop.

Russell informed the Board that there will be a Public Hearing for the School Budget, Wednesday, May 12th at Holbrook School at 7:00 pm. The Annual School Budget Meeting will be Thursday, June 3, 2010 at 7:00 pm at Holbrook School. School Budget Validation will be June 8, 2010 from 8:00 am to 8:00 pm at the Town Office.

ADJOURNMENT: Meeting adjourned at 8:33 pm. All in favor.

Respectfully Submitted,

Denise M. Knowles