

# TOWN OF EDDINGTON, MAINE

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## PLANNING BOARD

July 31, 2014

6:30 pm

MINUTES

**CALL TO ORDER:** Tom Vanchieri called the Meeting to order at 6:30 pm.

**ROLL CALL:** Members present were Tom Vanchieri, Henry Hodges, Gretchen Heldmann, Craig Knight, Susan Dunham-Shane and Charles Norburg, CEO. Frank Higgins has an excused absence.

### **MINUTES:**

**UNFINISHED BUSINESS:** This meeting is a Workshop for the Planning Board to continue their work on the Mineral Extraction Ordinance. The following items were discussed:

1. Gretchen would like to keep the setback chart from the Bucksport Ordinance, but may find it can be condensed later. Susan said that she has noted that they may be able to combine 4, 5, 6 and 7. Ray Wood Sr. suggested that they may want to verify if there is any distinction between cutting ledge in a quarry and blasting granite in a quarry in regards to some of the sample ordinances they are working with.

2. Gretchen worked on number 5, Protected Natural Resources. The sample ordinances are following the state statute. They will keep the Hancock Ordinance wording.

3. Craig handed out paperwork on #6, Public and Private Roads. They will keep Hancock's wording and refer to Craig's other information when addressing #10, traffic.

4. Craig passed out paperwork on, #7, Property Boundary and Buffers, which contained this section from the Hancock, Mount Desert and Bucksport Ordinances. They will start with the Hancock Ordinance and make changes and additions as needed. In the first paragraph, change the 100' natural buffer strip to 300'. Remove "With written permission of abutter, the above buffers can be reduced to 50 feet." Under a., remove the second sentence that starts "With the abutter's written..." (When they get to the chart, they may want to add this back in. Also keep in mind the different uses.) From the Bucksport Ordinance, add sections 3.2.1 through 3.2.4. There was a question as to who decides what is an inadequate natural buffer in paragraph c., Hancock. Susan likes the portion of the Wales Ordinance, which discusses written permission and the 4 requirements for it to be allowed.

5. Tom was assigned #8, Erosion and Sedimentation. He read that section from the Bucksport Ordinance. The Board then discussed that section from the Hancock Ordinance. Under a. remove "March 1991" and add "the most current edition." Move section "g." to #9 as "c."

6. Tom was assigned #9, Stormwater. He and Gretchen like what is in the Bucksport Ordinance better than Hancock. Gretchen said they may have to check the wording for external draining onto someone else's property. Janet Hughes said that this is sending the same amount of water down at the same rate as before development.

7. Tom passed out paperwork for #10, Traffic. The Board decided to use Tom's handout from Bucksport's Ordinance and add, in its own section, "Any study is at the property owners expense and such study is subject to review by another consultant of the Town's choosing."

8. Tom passed out paperwork for #11, Noise with excerpts from the Bucksport and Hancock Ordinances. Gretchen thinks the decibel limits on page 2 are high at 129 dBL. Tom said all the ordinances had 129 dBL. She will research this and they will revisit it. Gretchen referenced an article from Arkansas, in which the noise regulations allowed the noise at certain times of the day on certain days of the month. Susan referenced the Westbrook Ordinance, #15, Noise. Susan will update Tom's

printout with the decibels and hours from our current ordinance. They need to establish background levels at a location before development, for the last full paragraph on page 1. The section regarding temporary noise such as construction activity needs to be firmed up. The first full sentence on page 2, insert "of" between engineer and sound. Insert the following into Tom's b. Exemptions.

- i. Warning signals and alarms.
- ii. Safety and protective devices installed in accordance with code requirements.
- iii. Test operations of emergency equipment occurring in the daytime and no more frequently than once per week.

9. Tom passed out paperwork for #12, Dust and Air Pollution that was a portion of the Hancock Ordinance. Gretchen said that Bucksport has an odor section that should be added to Tom's. Also, their smoke section should be reviewed and add what is needed.

10. The Board reviewed Tom's paperwork on #13, Reclamation. Gretchen questioned how the reclamation rules work for a lot that has been developed for the loam. Janet Hughes said they regrade the slopes and seed it. Under d. ii. at the end of the sentence that starts "Vegetative cover..." add "; native to the area where the project is located."

11. Henry worked on #14, Blasting. He used the section from the Hancock Ordinance and inserted a couple of sentences from Bucksport. Under j. change "should be" to "shall". Susan said that the Westbrook Ordinance allowed blasting from 10:00 am to 3:00 pm with 8 blasts per year. Janet Hughes said that blasting could be set for when school is out or to please a local business and they may want to extend the hours to 5:00 pm. Gretchen noted that it does not say they have to submit a blasting plan. Gretchen referenced the blasting section in the Mt. Desert Ordinance. They will table further discussion until the next meeting.

#### **NEW BUSINESS:**

**OTHER BUSINESS:** The Board has a site visit scheduled for Sunday, August 3, 2014 at 1:00 pm on Lonnie Lane.

**STAFF REPORTS:** Denise mentioned that Janet Hughes has sent Russell an email inviting the Board to do a site visit to a granite quarry they have nearby. Russell had forwarded the email to the Board. They suggested that Russell talk to the Town Attorney for his opinion before they schedule a visit. Denise will pass the information on to Russell.

**PUBLIC ACCESS:** Mr. McLeod asked the Board if they have a category for vibrations and seismic readings.

Mr. McCluskey noted that in working with some of the Sample Ordinances, they may be running into the comparison of a big quarry and the small family quarry. The Definitions should address this.

#### **PLANNING BOARD COMMENTS:**

**NEXT MEETING:** The next meeting will be Thursday, August 14, 2014.

**ADJOURNMENT:** Motion to adjourn at 8:35 pm

**By Henry/Gretchen 2<sup>nd</sup> Vote 4-0**

Respectfully Submitted,

Denise M. Knowles