

TOWN OF EDDINGTON, MAINE

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PLANNING BOARD

August 8, 2013

6:30 p.m.

MINUTES

PUBLIC HEARING

The Public Hearing for Frank Arisimeek's proposed quarry on Fox Hill opened at 6:30 pm. There were about 20 people present. Mr. Arisimeek explained that he plans to sell ledge rock from the back side of his lot to H.E. Sargent who is working on the Veazie dam removal. He plans to start work as soon as possible. He said they have hauled from this lot in the past and he plans for there to be more projects after this one with H.E. Sargent. They plan to improve the existing dirt road to accommodate the trucks, but will not cut down any trees. Residents that live on the road will notice dust and noise, but the improvements to the road will benefit them. Mr. Arisimeek said that the dust would be controlled by spreading water and calcium chloride on the road. Mr. Arisimeek said that water drainage will not be affected because they will be internally draining and following DEP Management Practices. A family with a child lives on the corner of the right of way that will be used as the entrance to access the lot. Selling a property there might be affected. Mr. Arisimeek said there will be about 20 vehicle trips per day and they will operate from about May 1st to November 30th, and will not go on all winter. There will be some blasting with dynamite. No fuel will be stored on the site. They will follow erosion and sedimentation control guidelines. Hours of operation will be Monday through Friday starting no earlier than 7:00 am. Public Hearing closed at 6:45 pm.

CALL TO ORDER: Meeting was called to order at 6:46 pm by Tom Vanchieri.

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

MINUTES: Motion to accept the minutes of the July 25, 2013 meeting with the following changes by Susan Dunham-Shane, Henry Hodges 2nd. All in favor: at the end of the Public Hearing add "No further comments. Tom Vanchieri declares the hearing closed and we will proceed to the meeting." At the end of the Footman discussion under Unfinished Business, add: "Susan will draft a letter to the selectmen and send a copy to the Town Manager." And change "CS" to "CK" under Frank Arisimeek at 7:13.

UNFINISHED BUSINESS: The Board continued the discussion with Frank Arisimeek about his Quarry Proposal. According to the MDEP rules, a Notice of Intent to Comply should be mailed to the abutters with a copy sent to the Town. It has not been done yet. The representative from Sargent's told him that until he opened up more than an acre he did not need an Intent to Comply. Application says one acre, expanding to 5 acres. Frank said he was told that he could ask for a 5 or 10 acre area to work on, but didn't need state approval until one acre was opened up. Frank Higgins said they could approve with the condition that it cannot exceed 1 acre until they receive the MDEP compliance with Intent to Comply paperwork. The \$100.00 fee has not been paid.

Frank Higgins asked Frank Arisimeek the following questions, to which he answered yes to each.:

1. Will he comply with the Maine Sediment Control Management practices, including silt fence downhill/stream of any activity?
2. Is he ok with approval being based on one acre for now and he will comply with Intent to Comply rules for any further work?
3. Will all rock areas be internally drained?
4. Will the dust be controlled with water truck or calcium chloride?
5. Will the work hours be Monday through Friday from 7 am to 7 pm?

The CEO will shut him down for not complying with any of these.

There should not be any impact on power lines or utilities. They now plan on hoe ramming and blasting for the project. They will set up monitoring on any residents property that they feel may be impacted by the blasting. Sargents hires someone else to do the blasting. Page 11, Section 490-Z, F. #(1), (2), and (3) of the MDEP Performance Standards for Quarries explains the specific requirements for blasting. When asked if he was planning on doing a pre-blast survey, Frank said he was not sure.

Motion that the Planning Board finds this application complies with the requirements of our Ordinance Section 809.2 and therefore they approve the application subject to the applicants agreement to comply with all specific plans included in application with the understanding that the work will only be operated Monday through Friday from 7 am to 7 pm, the size of the quarry cannot exceed 1 acre without applicant providing evidence to the Town of full compliance with MDEP Performance Standards for Quarries latest edition and pay the application fee by Frank Higgins, Susan Dunham-Shane 2nd. All in favor.

NEW BUSINESS: Russell told the Board we may want to address a Fire Works Ordinance for the Town. There have been some complaints in the Hill Street Area for both before and after 10:00 am., and it was done on someone else's property. It was questioned who has the authority to enforce such rules and it was believed it would be the Town Constable. Brewer's Ordinance allows for the parts of Town that are open to discharge of firearms are also open to fireworks. Gretchen suggested that we could regulate when they can be used based on how fire permits are issued.

PUBLIC ACCESS:

STAFF REPORTS:

PLANNING BOARD COMMENTS: Susan presented the letter that she did for the Selectmen regarding the Footman Zone Change Application.

OTHER BUSINESS: The Board discussed the Bylaws of the Planning Board that Gretchen prepared. The following changes were discussed:

- Page 1, 1.1.3: change "provide a record" to "establish a protocol"
- 1.3.3: change "providing for" to "governing"
- Page 4, 2.4.1.4 change: "immediately and during the same meeting after the election." To "immediately at the close of the meeting during which they were elected."
- Page 6, Frank will research New changes for Roberts Rules.
- Page 7, 4.4.1 change: After "or an owner of" remove "abutting or other property that is the subject of the application or directly affected by the Board's decision." And add "property that is the subject of an application or is directly affected by the Board's decision,"
- Page 8, 4.5.2 change: Remove last sentence at add the following sentence, "any inadvertent gathering where Planning Board case matters were inadvertently discussed, shall be reported publicly and completely at the next scheduled meeting for purposes of proper disclosure."

Page 8, 4.5.5 change: Remove “Chair or Vice Chair in his/her absence.” And replace with” Chair or Chair’s designee.”

Page 11, 5.4.2 change: Swap “Unfinished Business” with “New Business”

Motion that the Board accept the Bylaws of the Planning Board of Eddington with noted changes by Susan Dunham-Shane, Henry Hodges 2nd. All in favor.

All other agenda items were tabled.

NEXT MEETING: The next meeting will be Thursday, August ~~2022~~, 2013.

ADJOURNMENT: Motion to adjourn at 7:50 by Henry Hodges, Craig Knight 2nd. All in favor.

Respectfully Submitted,

Denise M. Knowles