

# TOWN OF EDDINGTON, MAINE

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## PLANNING BOARD

September 28, 2009

6:30 p.m.

## MINUTES

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

**ROLL CALL:** Members present were Tom Vanchieri, Henry Hodges, Frank Higgins, and Susan Dunham Shane. Gretchen Heldmann, Gary Poisson and Jeff Thurlow have excused absences.

**NEW BUSINESS:** This meeting was a Windmill Ordinance Workshop. The members present started reviewing the Maine Wind Energy Ordinance, discussing areas each had highlighted with concern. Gretchen Heldmann had emailed a copy of the ordinance showing her concerns, which were also discussed. The following are some of the items discussed and proposed changes to the Ordinance:

1. Page 3, Non-Participating Landowner: It was questioned whether this included people within the view shed and could that also include the residents of other towns. There was much discussion and they decided to revisit this at the next workshop.
2. Page 3, Protected Location: . . . “near”. the development site at the time an application for a Wind Energy Facility is submitted under this Ordinance. The Board would like to research this to better define “near”.
3. Page 4, Protected Location, #2: There was discussion on whether or not to remove this section and was decided to leave it.
4. Page 4, Scenic Resource: The Board questioned what authority a municipality has to designate a Scenic Resource? The Comprehensive Plan should address this. Do we want to include the Penobscot River and Blackcap Mountain as Scenic Resources in the Comprehensive Plan?
5. Page 4, Significant Wildlife Habitat: Gretchen suggested adding: And as shown on the latest “Beginning with Habitat” maps from MDIFW. The Board wants to ask Gretchen if she wanted it to start “And” meaning it would have to be on both or “Or” meaning that is on one or the other.
6. Page 5, Wind Energy Facility: The Board clarified the difference between a Type 2, which is solely for personal use, and Type 3, in which case power would be sold.
7. Page 5, Corresponding Local Review and Approval Authority Chart: Local Review and Approval column, “Change Codes Enforcement Officer” and “Municipal Reviewing Authority” to “Planning Board”. The Board wants all applications to come to them.
8. Page 7, Review and Approval Authority: Remove #1, Change #2 to #1 and add “Type 1A”. (“Municipal Reviewing Authority” will be changed to “Planning Board” when referenced throughout the ordinance.)

9. Page 8, Type 1A, Wind Energy Facility Application, remove #1.
10. Page 9, Change #2 to #1 and add 1A before type 1B in title. C. Within 30 days after (remove) receipt of the application by the Codes Enforcement Officer, (change to) the initial review of the application at the regularly scheduled meeting by the Planning Board, d. add Type 1A before Type 1B in sentence 2 and 3. e. add Type 1A before Type 1B in sentence 1.
11. Page 10, Table 2, Procedural Time Frames, remove row 1 and add 1A to Facility Type with 1B. 9.5 Notice of meetings: There was much discussion about notifying abutters about the initial meeting on an application. (Suggestions included: All abutters and land owners within 1000 feet of the property line for all types of applications, or all abutters within a shorter distance for Type 1A and 1B and the longer distance for Type 2 and Type 3)

The Board will restart their discussion of the Wind Energy Facility Ordinance at their next workshop, revisiting areas with questions and continuing from Page 10, 9.5. Denise gave the members present copies of information about Windmills that she had found online.

Other items that were discussed during the meeting that the Board would like to look into are:

Can we legally tell a resident they cannot have a windmill?

What is contained in the Site Location of Development Act, 38 M.R.S 481, et seq?

What is the Companion Guide Book that was mentioned in the email with the Model Ordinance from the state?

They would like more information on high decimal and low decimal sound emissions.

**OTHER BUSINESS:** The next meeting of the Planning Board will be Wednesday, October 7, 2009 with Renaissance. They will not plan on having a meeting on Thursday, October 8<sup>th</sup>, regular meeting schedule day, unless they have agenda items. They will decide at the Wednesday night meeting when they will meet again to work on the Windmill Ordinance.

Susan Dunham-Shane told the Board that Russell had mentioned to her that Clewley Restaurant has opened a Gift Shop. They had a Flower Shop in the past and the Board needs to decide how this should be handled.

**ADJOURNMENT:** Meeting adjourned at 8:40 pm .

Respectfully Submitted,

Denise M. Knowles