



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

December 9, 2010

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, Frank Higgins, Henry Hodges, Susan Dunham Shane, Charles Norburg, CEO and Russell Smith, Town Manager. Jeff Thurlow and Gretchen Heldmann have excused absences. Motion to accept Frank Higgins as a voting member for tonight's meeting by Henry Hodges, Susan Dunham-Shane 2<sup>nd</sup>. All in favor. Bill Najpauer and Charles Gilbert were also present at the meeting.

**MINUTES:** Motion to accept the minutes of the November 30, 2010 meeting as written by Susan Dunham-Shane, Henry Hodges 2<sup>nd</sup>. All in favor.

**NEW BUSINESS:** The Board started to review the information from Charles Gilbert regarding the Zoning Ordinance. They discussed and changed the following items:

1. Sections 108.1.3 and 108.1.4, page 2, Leave as written
2. Add Section 201.4, page 3, "The Code Enforcement Officer shall also administer applications and grant permits within the jurisdiction of Section 606, the District Use Chart, on page 18."
3. Section 202.2, page 3, remove "conviction" and replace it with "adjudication" in the first sentence. Change the last sentence to "All fines, costs and attorney fees, including the award of any court cost shall be for use and benefit of the Town of Eddington."
4. Section 203.5, page 4, at the beginning of the first sentence, add "Subject to state law," and then continue with the sentence.
5. The appeals process in the Wind Energy and Subdivision Ordinances should be consistent with the Zoning Ordinance.
6. Section 204.3.1, page 5, add "A decision by the Planning Board directing the Code Enforcement Officer to issue a permit shall be deemed the final decision for purposes of appeal."
7. Section 301.2, page 6, change "10 feet by 10 feet" to "100 square feet."
8. Section 301.3, page 6, reword to "The installation or construction of a dwelling unit, manufactured home and modular home."
9. Section 301.4, page 6, Leave as written
10. Section 303, page 7, Leave as written
11. Bill had to leave the meeting for another appointment. Susan asked if the maps are complete and Charlie said they have three maps that need to be combined. Bill asked Russell to contact him about completing the maps. (They should also have a separate map that shows just Shoreland Zoning)

12. Add Section 305.6, page 8 “All permits shall be null and void unless substantially commenced within one year after date of issuance. However, issuance of permit is contingent on any additional permits necessary from other governmental bodies or resolution of any appeals related to the project.”
13. Section 305.2, page 8, remove “internal or”
14. Section 401.1, page 9, Leave as written
15. Section 401.2, page 9, remove “may, at its discretion” and add “shall”
16. Section 401.5, page 9, last sentence, remove from “notification to the applicant that a complete application has been received.” and add “determination by the appropriate reviewing authority that a complete application has been received.”
17. Section 401.6, page 9, The Board wants to revisit this. They need to come up with some standards for this section.
18. Section 401.7, page 9, The Board wants to revisit this. Charles Gilbert will find case law on what can and cannot be waived. (Cannot have a provision that allows them to waive any of the review criteria.)
19. Section 401.7.1, page 10, change “shall” to “may”

20. The Board asked Mr. Gilbert if the Planning Board has the authority to issue the operational License or if it has to go to the Selectmen. The Selectmen issue the liquor and junkyard licenses. The Planning Board makes decisions on land use issues. Mr. Gilbert said that either Board could be given the authority to issue the license. Susan will write up an email on the questions the Board had for Mr. Gilbert on the Windmill Ordinance and send it to everyone and Mr. Gilbert.

**UNFINISHED BUSINESS:** The next meeting will be Wednesday, December 15, 2010 at 6:00 pm to continue discussing the Zoning Ordinance with Mr. Gilbert.

Before the first meeting in January, the Board would like to have the Windmill Ordinance completely reviewed, questions for Mr. Gilbert from their reviewing of his notes and comments answered and the changes from the discussion of his notes made to the Ordinance.

**PUBLIC ACCESS:**

**ADJOURNMENT:** Motion to adjourn at 8:45 pm by Henry Hodges, Susan Dunham-Shane 2<sup>nd</sup>. All in favor.

Respectfully Submitted,

Denise M. Knowles