

TOWN OF EDDINGTON, MAINE

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PLANNING BOARD

December 13, 2012

6:30 p.m.

MINUTES

CALL TO ORDER: Meeting was called to order at 6:32 pm by Tom Vanchieri.

ROLL CALL: Members present were Henry Hodges, Tom Vanchieri, Frank Higgins, Craig Knight, and Russell Smith. Susan Dunham-Shane, Mike Shepherd and Charles Norburg have excused absences. Motion to make Craig a voting member for tonight's meeting by Henry, Frank 2nd. All in favor. Gretchen Heldmann arrived at 6:55.

MINUTES: Motion to table the discussion of the October 11, 2012 minutes until the next meeting to have all members look them over by Frank, Craig 2nd. All in favor. (At the October 11, 2012 meeting the discussion of the July 26 and August 23 minutes was tabled also.)

NEW BUSINESS Robert Maquillan and Scott Footman were present for the meeting. Mr. Maquillan informed the Board that he is interested in purchasing Mr. Footman's property located on Rt. 9 before 907 Main Road (just before the Town Office across the road) It is currently zoned Rural Residential and he would like it changed to Commercial. Mr. Maquillan would like to do a small business park in the future with self-storage and sell the lots out front. If it could be changed, he would be interested in purchasing the property.

The Board explained that they have no authority to change Zoning. They can review a request and then it goes before the public to vote on it. (Section 108 of the Zoning Ordinance explains the procedure.) Mr. Footman had sent a letter requesting a zone change, but the exact information is needed before it goes to vote. The public will want more information about the proposed development. The Board will have to check with the state on how they feel about zone changes in regards to the Comprehensive Plan. The Board suggested that Mr. Maquillan review the allowed uses for the land as it is zoned now. He can print the Zoning Ordinance from the Town website. The Ordinance says . . . Public Hearing within 30 days in response to a zone change request. The Board said Mr. Footman's request was denied because it is incomplete. He does not state intent. The Board wants Charlie to send Scott Footman a letter stating why his request for the zone change was denied

Paul Doody of 117 Riverside Drive has spoken to Charlie about possibly doing a dog care facility on his property. Today he has come before the Board to ask what is allowed for a business in the Mixed Use District. He asked if Public Storage was allowed and the Board verified that is was. Mr. Doody has 4.6 acres on two pieces of property that are on separate deeds, but they are connected. The Board suggested that he get the Zoning Ordinance on line and review the description of a Home Occupation, the set back requirements for his property and a map of his property is also available. He would need to complete a Site Plan Application and present it to the Board and after that is complete a Public Hearing would be scheduled. The biggest concern with storage units will be traffic. Mr. Doody explained that his property is fenced off. Russell said that Mr. Doody has two lots combined for tax purposes. The back lot does not have frontage on any right-of-way. His frontage will not allow access to the back of his lot and he does not have right-of-way to it.

Russell gave the Board paperwork from the Department of Agriculture, Conservation & Forestry that explained that the Maine Legislature has passed LD 1739, which is an act to change the regulation of forestry in the Shoreland Zone.

Gretchen explained the copy of paperwork that Russell gave the Board was a Freedom of Access Act request for information she made through her attorney to the MDOT, about how MDOT got to the decision that 2B-2 was the best route for the extension of I-395. Also included with the request letter are copies of documents cited within the letter, from previous MDOT meetings, which seem to point to why 2B-2 is not a feasible route. MDOT responded that because this was such a wide scope of a request, they would charge \$400.00. The current fee is \$15 per hour, which equates to around 27 hours of staff time to compile information that is cited in the letter and should be readily available. Gretchen said we deserve to have this information, as it will help us better understand what constitutes the “hard look” (as stated in the DEIS) MDOT took at the feasibility of 2B-2 and using a long length of Route 9. Regarding the FOAA request the Selectmen made in October, Russell and Gretchen have attended a couple meetings in Augusta, but have not received the requested information yet, nor has Russell heard from the MDOT attorney. The completed DEIS responses to substantive comments document is supposed to be done by the end of the year. The current working draft from MDOT was sent to Gretchen and Russell via email after one of the meetings in Augusta, where they learned it was available and requested it. It is on the Town website. In light of the lack of response from MDOT to the Selectmen’s October FOAA request, Gretchen suggested that either the Selectmen retract their request and she will make that request through her attorney, or the Selectmen should have the Town attorney follow up with MDOT.

Russell will call DOT about the Bridge Crew blocking the view of traffic coming off Rt. 46 and the Merrill Road.

The Board will review the Fee Schedules from Brewer, Bradley, Holden and Milford from Charlie and discuss them at the next meeting.

The Board questioned whether Charlie had spoken to Chris Shirland about the mess in his yard. Tom said he has started cleaning up the yard.

Gretchen expressed concern with the recent increase in the number of cars being parked at Jim White’s property at 387 Main Road, including cars parked in the right-of-way as it could be a potential traffic issue and sightline obstruction. She questioned if any of the vehicles might be leaking fluids, as they seem to be in various states of disassembly. She wanted to know if it is operating as a business, when it was approved, and any conditions of approval, as it seems that the operation is expanding. Russell will look up the original permit to see what was approved. The owner should be advised to not park anything in the right of way, as the MDOT has strict guidelines regarding obstruction of highway rights-of-way.

UNFINISHED BUSINESS:

PLANNING BOARD COMMENTS:

STAFF REPORTS:

PUBLIC ACCESS:

NEXT MEETING

ADJOURNMENT: Motion to adjourn at 7:45 pm by Henry, Gretchen 2nd. All in Favor.

Respectfully Submitted,

Denise M. Knowles,