

TOWN OF EDDINGTON, MAINE

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PLANNING BOARD

April 9, 2015

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, Gretchen Heldmann, Craig Knight and David McCluskey. Susan Dunham-Shane and Charles Norburg have excused absences.

MINUTES: Minutes of January 29, 2015 – Table for a quorum of those who attended meeting.

Minutes of February 10, 2015 – Table and have Denise resend them.

Motion to accept the minutes of February 17, 2015 meeting as written.

By Gretchen/Craig 2nd. All in Favor

Motion to accept the minutes of the February 23, 2015 meeting as amended to correct the spelling of “Heldmann” in the minutes.

By Gretchen/Craig 2nd. All in Favor

Minutes of February 26, 2015 – Table until the next meeting.

Motion to accept the minutes of the March 26, 2015 meeting as written.

By Gretchen/Craig 2nd. All in Favor

UNFINISHED BUSINESS:

NEW BUSINESS: Gretchen explained that the state has revised the Shoreland Zone Ordinance a number of times since 2009. The Board had started to update the Ordinance in 2010. She spoke with MDEP for the changes that they had for our map and emailed the Board members to let them know where they had left off. (This had to do with revising Inland Water Fowl and Bird Habitat and whether they had to be Resource Protected or Limited Residential.) Then there was the issue of Timber Harvesting where there were 2 Timber Harvesting Sections and if enough municipalities signed up to have the Forrest Service take over, but not enough signed up, so the Towns were supposed to pick one because the other one was to have the Town regulate it, so they had to fix that.

There has been more information come out in the last year or two that have to be reviewed. The State has sent out a new draft Model Ordinance with comments from Stephanie of MDEP in the margins. Gretchen took our 2009 Ordinance and compared it to what the DEP sent and created a document for the Board to show the changes. The map may also have more changes from the revisions from the state. Gretchen asked Denise to have someone contact Stephenie from MDEP and ask her for a bullet list of the things that have changed in the Ordinance.

The Board members should review the paperwork and decide how they want to address the comments in the model Ordinance and determine if there are any items that are more restrictive in our old Ordinance that they want to keep in the new one. They will have to refer to our Comprehensive Plan in regards to certain sections of the new Ordinance. Page 8, #13, Establishment of Districts tells how to get the districts on the map and they will have to decide if the map they have been working on needs to be modified or not. Gretchen said that the new model ordinance states that the Bird Habitat Section is no longer required.

OTHER BUSINESS: The Board discussed changing their meeting dates back to the second and fourth Tuesdays of the month. They also want to move the starting time from 6:30 to 6:00 pm. Gretchen proposed that they have one regular meeting a month and use the other meeting for workshops or if a pressing application comes up. They will have one primary meeting a month and then a secondary one if needed, like the Selectmen do. Tom asked if they have to wait for Susan to return to vote on this and Gretchen said that the Board had discussed changing the meeting date at previous meetings and Susan was not opposed to it. Gretchen will update the Bylaws for the next meeting.

Motion to change the meeting date to Tuesdays and will start with Tuesday, April 28, 2015 at 6:00 pm. **Gretchen/Craig 2nd. All in favor**

STAFF REPORTS:

PLANNING BOARD COMMENTS:

PUBLIC ACCESS: Ralph McLeod thanked the Board for their work on the Mineral Extraction Ordinance and said he was happy that it got voted in. He said that some people had received a notice that Hughes Bros. was going to ask for a variance and they sited a meeting date at the Town Office on April 16, 2015 with the Planning Board. Ray Wood Jr. spoke and said he thought the meeting was an informational meeting on the variance with MDEP to go below the groundwater table for the Arisimeek permit. Gretchen said that the 16th was not a regular meeting date for the Planning Board. Mr. McLeod continued that whether he has a permit or not, or haul rock off, Frank is required to use a federally licensed blaster and they are required to obey all federal, state and local laws. He said the local law is a 1500' setback. He would like Russell to notify him if they apply to do blasting, because they have to submit a copy of the license and plan. His intention is to contact the BATFE and put in a complaint that they are violating local law.

Mrs. McLeod asked if Frank Arisimeek had a permit. She said that Charles Norburg said he never gave a permit to him and he had 90 days to get one. Tom said the Board had approved him for one acre. Gretchen explained that the Planning Board granted him approval, but they do not issue permits. Gretchen said that this has been discussed before and the answer is the same as the last time, that it is something that the attorneys have to figure out. Gretchen had asked Charlie if he normally has given out permits for other approved applications, such as the auto repair shop and Charlie said that he generally does. Tom explained that to him what a lawyer says is an opinion and until a judge tells him that he has or has not got a permit that is what he will believe. Mrs. McLeod said that Frank has said that as soon as the snow is gone they will be working on his land and that he has been blasting. No one is aware of any blasting and Tom has not heard of any plan turned in to the Town Office. Tom said he would have to defer to the Town to verify if MDOT will allow trucks to use Fox Lane because of the 20% grade, or the old road beside it. Craig said that they may be able to use Fox Lane, because MDOT required Hughes, Bros. to put in berms every so many feet at the Dedham quarry site so that if a truck has to, it can slam into the berm.

Ray Wood Jr. said that he wouldn't think they would be able to use Fox Lane because it was so steep, but the old road might be close. He also felt that it was pretty clear according to 305.5 of the Zoning Ordinance there is a procedure that if you get approved you get a permit within 90 days, and if you don't get one you have to reapply. He also thanked the Board for all their hard work.

Ralph McLeod said that he has given copies of Eddington's Mineral Extraction Ordinance to the Town Officials of Holden and they are thinking of adopting it too.

Tom thanked the audience for sitting through all of the meetings.

Tom asked Denise to find out if there was anyone interested in being an alternate on the Board.

NEXT MEETING: The next meeting will be Tuesday, April 28, 2015 at 6:00 pm.

ADJOURNMENT: Motion to adjourn at 7:12 pm.

By Gretchen/Craig 2nd. All in favor

Respectfully Submitted,
Denise M. Knowles