



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

October 24, 2017

6:00 pm

MINUTES

CALL TO ORDER: Mark Perry called the meeting to order at 6:03 pm.

ROLL CALL: Members present were Mark Perry, David McCluskey, Craig Knight, David Peppard and Susan Dunham Shane. James White, alternate has an excused absence.

MINUTES: Motion that we change the minutes of October 10, 2017 after removing under Unfinished Business, third paragraph “and the fee goes to him” and adding “at the builder’s expense.”

By Mark P/David M 2nd. Vote: 4 Yes-1 Abstained-David P did not attend meeting.

Motion to in the first full paragraph on page 2, last sentence, change “for” to “at”.

By Mark P/Craig K 2nd. Vote: 4 Yes-1 Abstained-David P did not attend meeting.

Motion to accept the minutes with those corrections.

By Mark P/David M 2nd. Vote 4 yes-1 Abstained-David P did not attend meeting.

NEW BUSINESS: David P and Susan DS both wish to attend the Workshop for Planning Board members.

UNFINISHED BUSINESS: The Board will continue their work on the Zoning Ordinance Revisions. Mark informed the Board that the Selectmen have suggested to add wording that you cannot get a permit if you are more than a year behind in your taxes.

Motion that we add: Section, 305.7 – No permit shall be issued to an applicant who owes Eddington real or personal property taxes that are more than one year overdue. No permit shall be issued for the use to take place on a property for which real or personal property taxes are more than one year overdue.

By Mark P/David M 2nd

Discussion: Charles N asked how he will know if the taxes are paid when someone presents him with an application? Susan suggested he check with the Town Clerk to see if the taxes are delinquent.

David M questioned if the taxes information will be verified before they receive an application or after it is approved and Mark P said it will be after it is approved. David M said that could lead to a lot of work being done by the Board and then the permit being denied because of nonpayment of the taxes. Susan DS suggested that the taxes have to be paid as part of the application process, along with paying applicable fees for the permit. Mark P continued that at the beginning of the application process they may not be a year behind but by the time the permit is approved they are behind, and would then have to pay them before they receive their permit. Charles N questioned when in the application process the resident would be told that their taxes have to be paid before a permit is issued. He said that people now do not notice the statement about the \$20 application fee that should be paid when the application is dropped off. David M suggested adding a statement at the top of the application form that states it. Susan suggested adding the statement sooner in that section of the ordinance.

Amend motion to make it 305.1.1 instead of 305.7.

By Mark P/David M 2nd. Vote 5-0

Mark P had emailed everyone on the Board Chapter 7 of the Zoning Ordinance, General Performance Standards, with some suggestions on it regarding road widths.

Motion to change the dimension on 701.8 from “60 feet” to “30 feet”

By Mark P/Craig K 2nd.

Discussion: It would read: “The minimum right-of-way for any driveway, common driveway, or entrance shall be a minimum of 30 feet.” Mark P reads these every day and has seen 12’ private roads, 16.5’ (the most common), 20’ or 30’ in some modern ordinances like Bar Harbor or 50’ for major subdivisions. He has never seen a 60’ right-of-way. Craig K asked if this was going to be limited to a 2 acre lot and how it would be handled for a larger lot that could be subdivided. Mark said it will be addressed later. A driveway serves not more than two residences. Susan DS and Russell S agreed that frontage is on a right-of-way. Susan wanted it noted that they need to discuss where frontage comes from and Mark P said they will later.

Vote: 4 Yes, 1 abstained, Susan DS

Motion to change the dimension requirement of 902.2.3 from 60 feet to 30 feet.

By Mark P/David P 2nd.

Discussion: Susan DS asked if one of the owners of land on the 30’ right-of-way wants to later divide his land into a subdivision, where does the 60’ right-of-way now come from? Charles N said that it will be up to the developer to find the needed land.

Vote: 5-0

Motion that in 904.1, Construction Standards Table, Right-of-way, replace the “60 feet” dimensions with “50 feet” for a major road, with “40 feet” for a local road and with “30 feet” for a rural road.

By Mark P/David P 2nd

Discussion: Russell S pointed out that the definitions of the different kinds of roads is in section 902.5. David M asked if this puts the town in a situation where a right-of-way could be built in such a way that it would be responsible for it? Mark P can’t see how because the town does not have to accept the dedication of a public way. David M said considering ditches and possible poles would come up to 30 feet very quick. Russell S said that the Chemo Pond Road down to the landing is 66’ wide. David M questioned if fire trucks would be able to pass safely on a 30’ right-of-way? Susan DS questioned having a 30’ right-of-way on anything larger than a driveway? Mark P believes that the right-of-way for anyone has to be on a rural, local, or major road and not a driveway. Charles N said that it can be on any right-of-way. Mark P sees one road, 16.5 feet, right-of-ways all the time. Craig K asked what Hydro and Bangor Water require for a right-of-way?

Vote: Yes 2-No 2-1 abstained, Craig K

Craig K agrees with David M and Susan DS and would like to know more about culverts and easements for utilities.

Motion that in 303.1.3 the dimension for a road to a woodlot be changed from “60” feet to “50” feet.

By Mark P/Susan Ds 2nd.

Discussion: David M said that that section continued that it can be upgraded to a street in the future and wonders which road description it would fall under, when they just voted to keep all of the roads at 60 feet. Susan DS does not want to consider the right-of-way discussion to be over and would like more information to continue it later. Charles N informed the board that Bradley has 50’, 55’ and 60’ for their three road types.

Motion to table the discussion

By Craig K/David M 2nd. Vote Yes 2-No 3

Vote on woodlot motion: Yes 3-No 2

Motion to add the remainder of the statutory section 30A 5353 to 204.2.5 as paragraph B. (regarding variances for a disability)

By Mark P/Craig K 2nd.

Discussion: Susan DS pointed out that at the last meeting Charles N said that only the Board of Appeals can grant a variance. Mark P stated that that is true unless the Zoning Ordinance states that the Planning Board can grant a variance for this circumstance.

Vote 5-0

David P has been working on street openings and street cuts and will have something at the next meeting.

AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING: Mark P said Zoning Ordinance revisions will be on the next agenda. Susan DS will be unable to attend a meeting on November 28, 2017, the week after Thanksgiving. Mark P said they will attempt to meet the 14th to get in their one meeting for the month.

DATE OF NEXT MEETING: The next scheduled meeting will be on November 14, 2017.

PUBLIC ACCESS: Joan Brooks said she was under the impression that the revisions were to simplify things, but they are adding more verbiage and making it more difficult.

Frank Arisimeek stated that he lives on a 25' right-of-way with about 10 other year-round people and it works fine. Mark P asked if that was in Clifton and he said yes. He continued that if they had had a 30 foot right-of-way up on Fox Hill they would have saved a lot of money. He thinks a lot of the pavement on town roads are only 22 feet wide. Frank A continued that they are having a line extension done right now and the hydro poles are right on the edge of the travel lane. Craig K said that if there were a steep drop-off, they would need to go off the road 15 or 20 feet.

Mark P informed the board that Deanna Doughty has volunteered to join the Board. The board welcomed her.

ADJOURNMENT: Motion to adjourn at 7:20 pm.

By Mark P/David P 2nd. Vote 5-0

Respectfully Submitted,

Denise M. Knowles,