



Town of Eddington

906 Main Road Eddington, Maine 04428

SPECIAL SELECTMEN'S MEETING FRIDAY

~~February 27th, 2015~~

MINUTES

CALL TO ORDER & FLAG SALUTE: Joan Brooks called the meeting to order at 6:00 p.m.

ROLL CALL: All Selectmen Present

UNFINISHED BUSINESS: Rooks Road Boat Launch – Al Belanger, currently owns the land at the boat launch, which has been used by the public for decades. He has granted permits to folks who have asked for permission to continue using the area. He does not want it open to the general public, stating that the permit system has worked so far. Mr. Belanger had heard that C. Baker, Jr. had spoken of eminent domain at a previous meeting, and clarified that it was just for an educational basis, and was not meant as a scare tactic to upset Mr. Belanger. Belanger gave copies of the notice he puts on vehicles that park on his property, without permission. Residents Dave Nash & Troy Morton spoke on behalf of Al's efforts and commended him for going out of his way to accommodate people, while protecting his property. Morton made suggestions for no parking and no trespassing signage, which he has done. Belanger made it clear he was not interested in any easement with the Town, when asked by Chuck Baker, Jr.

NEW BUSINESS: Planning Board, Zoning Ordinance & Mineral Extraction Addendum
Set Dates for Special Town Meeting & Public Hearings
Sign Warrant for Special Town Meeting

C. Baker, Jr. asked if the Zoning Ordinance/Mineral Extraction Addendum item could be tabled until the regular meeting on March 3rd, 2015.

Baker wanted more time to review and go through the addendum line by line on Tuesday's meeting.

A motion was made, seconded and passed to set the dates for Special Town Meeting for April 2nd, 2015 & Public Hearing for March 19th, 2015. C. Grover, Jr. / C. Baker, Jr. Vote 5-0.


Joan Brooks, Chairman


Charles Baker, Jr., Selectmen


Peter Lyford, Selectmen


Charles Grover, Jr., Vice-Chairman


Michael Shepherd, Selectmen

Sign Warrant for Special Town Meeting – There was some discussion before the vote as to how articles can be amended at town meetings. Joan expressed that she would like some clarification from Charles Gilbert before the meeting. **M. Shepherd** made a motion to accept the Mineral Extraction Addendum and the changes to the Zoning ordinance, as written by the Planning Board. **Seconded by P. Lyford**. A discussion began with the word “shall”, being changed to “may” in the proposed public hearing part of the ordinance. Selectmen Charles Grover, Jr. would like it left as “shall”, to avoid any accusations of favoritism or discrimination, when it comes to meetings on applications. Planning Board member, Sue Shane, gave an overview of the boards reason for the change, explaining how using “may” gives some latitude to areas where you would have a noticeable difference when a meeting is mandatory vs. a detail so small, where it’s just overkill. Susan touched upon the costs involved with Public Hearings, and the boards’ efforts to encourage commercial growth in town, making a more positive approach with taxpayers, due to some not so positive feedback the past two years. C. Grover agreed with the “shall” wording in certain areas, but not when you are changing zones or property usage.

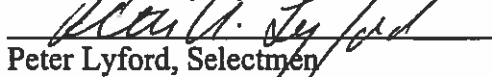
It was suggested by Joan Brooks that the Selectmen make a list of areas or specific items they would like to discuss, at the meeting on Tuesday.

Joan Brooks questioned setbacks, wanting to know what caused the recent jump from 1000ft. to 1500ft. Sue Shane explained that the board changed the distance amount due to possible location situations and the way land changes over time. In the current use chart, Mineral Extraction is permitted in the Rural Agricultural Areas. Everywhere there is a Rural Agricultural Zone, a Rural Residential Zone abuts it, and what fit at one point, may not fit at the present point, pointing out that agricultural areas have a lot more houses on them than what they originally had twenty or thirty years ago. Susan Shane stated that the residents wanted a much bigger setback than the 1500ft. however the board felt that 1500ft was at least defensible.

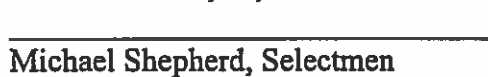
Selectmen, Mike Shepherd, asked Susan Shane if it was safe to say the increased figure was a result of a compromise between feedback from the two public hearings and the date they made the change. S. Shane agreed, it was. Planning Board Alt. David McCluskey, spoke about another piece of the compromise was done after some reading and a study on air blast levels regarding blasting, where they dropped from 129 decibels to 120 decibels and with Mrs. Hughes assistance, she showed them it was impossible to have an air blast. After a consult with Mike Stebbins of MDEP, it was raised back up to the 129 decibels. High decibels were a concern for neighbors, yet if the decibels were lowered there would be no quarry, bottom line. So to compromise, the setbacks were moved. **Motion was amended by M. Shepherd, to accept changes to the Mineral Extraction Addendum & changes to Zoning Ordinance, put forth by the Planning Board and strongly suggest taking a look at the word shall. Seconded by P. Lyford, then amended by Joan Brooks, to add in that they look again at the 1500ft setback, because it is excessive.** At this point C. Baker, Jr. said he was not ready to vote on this, he has not had time to review the entire addendum in order to get all of his questions or concerns in place, he prefers to bring it back up at the Tuesday night, March 3rd meeting. Surface Water and a few other areas of discussion were thrown around briefly before it was decided to wait until Tuesday’s meeting for any additional changes. **Discussion over, called for a vote to accept as written with changes noted. M. Shepherd / P. Lyford Vote 2-3, Motion Failed. A motion was made, seconded and passed to sign the Warrant for Special Town Meeting. C. Grover, Jr. / M. Shepherd Vote 5-0.**


Joan Brooks, Chairman


Charles Baker, Jr., Selectmen


Peter Lyford, Selectmen


Charles Grover, Jr., Vice-Chairman


Michael Shepherd, Selectmen

OTHER BUSINESS: Nothing to discuss

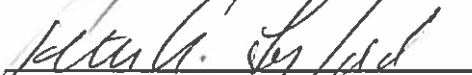
EXECUTIVE SESSION: Motion to go into Executive Session Pursuant to 1 M.R.S.A. § 405 (6) (A)
Personnel Matter. C. Grover, Jr. / C. Baker, Jr. Vote 5-0.


Motion to return to regular session at 7:50p.m., C. Grover, Jr. / C. Baker, Jr. Vote 5-0.

ADJOURNMENT: Motion to adjourn at 7:50 p.m., C. Grover, Jr. / M. Shepherd Vote 5-0.


Joan Brooks, Chairman


Charles Baker, Jr., Selectmen


Peter Lyford, Selectmen


Charles Grover, Jr., Vice-Chairman


Michael Shepherd, Selectmen



Town of Eddington

906 Main Road Eddington, Maine 04428

WARRANT FOR SPECIAL TOWN MEETING

STATE OF MAINE

PENOBSCOT, SS

To: Russell Smith, Town Clerk, in the Town of Eddington, in the County of Penobscot:

GREETINGS:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Eddington, qualified by law to vote in Town affairs, to assemble at the Eddington School, 440 Main Road, Eddington, on Thursday, the 2nd day of April A.D. 2015 at 6:30 p.m. then and there to act on Articles to wit as follows:

ARTICLE 1. To choose a moderator to preside at said meeting.

ARTICLE 2. Shall the Town vote to approve an Addendum to the Zoning Ordinance titled Mineral Extraction Operation Addendum with Retroactive Application. (A Copy of which is on file at the Eddington Town Office and Website)

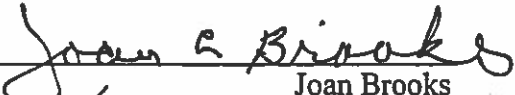
Recommended by Planning Board

ARTICLE 3. Shall the Town vote to approve changes to the Zoning Ordinance with Retroactive Application. (A copy of which is on file at the Eddington Town Office and Website)

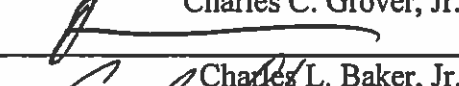
Recommended by Planning Board


ARTICLE 4. Adjournment.

GIVEN UNDER OUR HAND THIS
27th DAY OF FEBRUARY 2015


Joan Brooks


Charles C. Grover, Jr.


Charles L. Baker, Jr.


Peter Lyford


Michael Shepherd

Eddington Board of Selectmen

ATTEST: A TRUE COPY



DATE: 2/27/15