

TOWN OF EDDINGTON, MAINE

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PLANNING BOARD

June 27, 2013

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, Henry Hodges, Frank Higgins, Gretchen Heldmann, Craig Knight, Susan Dunham-Shane and Charles Norburg. Michael Shepherd has an excused absence.

MINUTES: Motion to accept the minutes of the May 30, 2013 meeting with the noted changes from Susan by Henry, Gretchen 2nd. All in favor. Changes: Page 1, New Business, change 7.09 and 8.09 to 709 and 809. Page 2, Unfinished Business, #2, change Port to Portable, replace... with Recycling/Waste Hauling Truck/Freight Terminal, change Care Site to campsite, and add Nursing Home, Household Pets. #4, #13, Section 901.1, Add "All driveways, entrances and roads that access onto a Town roadway, shall be required to obtain a permit and pay applicable fees. #15, Section 1005.9.3, Replace "No sign can extend beyond the roof line more than 6' at the point of mounting" with "No sign mounted on building shall be higher than 6' from the point of attachment". Under Assignments on page 3, add Tom will check Campsite Rules.

NEW BUSINESS: Frank Arisimeek came before the board to explain that he would like to operate a ledge rock quarry on his property on Fox Hill. The Board members each have a copy of the map of the property and the DEP Performance Standards for Quarries. Also present was Chip Laite, of H.E. Sargent, Corp who Mr. Arisimeek will be working with on the project. The ledge will be used in the river as part of the dam removal. It will be removed when the job is done. They expect to need 8,000 to 10,000 cubic yards of material 18" to 36". The site is 1000' from any houses. They will be using the alternate driveway on the Eddington side of Fox Lane and will be putting up Trucks Entering signs. They would like to place the rock by July 15, 2013. The project will fall under Maine DEP Permit by Rule. They will have to do a pre-blast survey for everything within ½ mile of the site and will submit blast readings to DEP and they will be using a hoe-ram (excavator with jackhammer). Mr. Arisimeek's lot is about 5 acres and ½ to 1 acre may be sufficient for this project.

The Board explained to Mr. Arisimeek that his completed Application needs to go to the Board 7 days before the July 11, 2013 meeting. They told him that he should read the following sections in the Zoning Ordinance: 709 Noise, 809 Erosion Control, 404 Planning Board Review Submission Requirements and 402 Review Criteria when completing his application. They also want a copy of the Road Entrance. They should check with Charlie to make sure the application is complete and have it to him by July 3, 2013. If the application is complete at the July 11, 2013 meeting, then it would go to Public hearing, with neighbor notification, so that it may not make the July 15, 2013 deadline. At the first meeting they will review the Application. At the second meeting they will have the Public hearing and vote on the project at the next meeting. (the Public Hearing and Vote meetings can be combined into one.) They will have to have state permits in hand as a condition of the Boards approval. (the property taxes will be affected by \$20,000.00 because of the Dam being removed.)

Charlie Norburg recommends an amendment to the Zoning Ordinance to address property that has already been approved by the Board for a Commercial use and if they wanted to add a building onto the land, that an accessory structure would be an allowed use. The Board feels that we need to be specific with the definition of Accessory Structure on a Commercial Lot. The Board needs to be concerned with storm water run off, etc and other changes caused by more buildings. It was suggested that they could restrict the accessory structure by size. They want to table this discussion until the next meeting so they can check with other Towns as to their procedures.

Robert Maquillan wants to bring a temporary structure onto his lot for storage and then move it to a different site later and build a permanent building. He has an application for a 14' x 24' shed, moved in on skids, valued at \$5500.00. He has an Auto Repair business in the Mixed-Use Zone. He is taking down the lean-to-building. The Ordinance currently says the Planning Board must approve an Accessory Structure for a business.

Motion that we authorize Charles Norburg to permit this application by Frank, Henry 2nd. Vote was 1 in favor, 3 opposed and 2 abstained. The Board continued to discuss the application. Gretchen thinks the Ordinance refers to Accessory Structure for the Residential Zone.

Motion that we tell Robert Maquillan that the CEO does not have authority to do this because it is a Commercial Use and he has to come back before the Board with an amendment to the Site Plan by Frank, Gretchen 2nd. All in favor.

****Need to add Accessory Structure to the list to work on.****

Charlie explained to the Board that the Clewley Farm Restaurant is in a Commercial Zone and farm animals are not allowed in that Zone. But the owner said they have always had farm animals and would be grand-fathered. John Hamor, Bradley Attorney, has told Charlie that animals are allowed in a zone, you cannot discriminate because of the sound or smell. It is a legal nonconforming use.

Motion that the Planning Board finds that raising chickens on Clewley Farms property is a legal nonconforming use and is allowed to continue under the provisions of our ordinance by Frank, Susan 2nd. All in favor.

PUBLIC ACCESS:

UNFINISHED BUSINESS: The Board discussed each members assigned task.

1. Gretchen will email everyone a copy of the Definitions, Sign Lighting and Active Outdoor Recreation changes when they are complete.
2. Frank informed the Board that Brewer does not mandate that a resident has to hook up to the water line if it goes by their house. Brewer does require that in a Subdivision with a new road that is coming off a road that has water available, they must extend the waterline into the Subdivision. Frank will work on Street Opening Guidelines for 901., etc with Russell for the 7/11/13 meeting.
3. Henry reviewed Ordinances and the following are the sections in which the Fee Schedule is referenced:
 - a. Flood Plain, suggested by state, Article IV, Application Fee \$25 for all minor development and \$50 for all new construction.
 - b. Wireless, Section 6, 6.4.A. and 6.4.B (Planning Board Fee, Application Fee and Review Fee.)
 - c. Zoning, 305.3, 1007.5, 1007.6 and Chapter 9, (new section Frank is working on)
 - d. Large Wind, 104.1,.2 and .4, 105.8, 105.8.1.1, 106.1.1, 106.2, 107 (all), 110.3
 - e. Small Wind, 209.4, 209.4.2.e and 214 (all)
 - f. Subdivision, 305.3.1.A and 306.3.1, need some wording
4. Susan informed the Board that the Fee Schedule Update has been given to the Selectmen. She attended the meeting and Joan Brooks questioned why we do not charge more for

Plumbing Permits than what Charlie is paid for them. Susan will call local towns for their fees for Plumbing Permits.

5. Tom researched Campgrounds regulations and found that the State of Maine has their own Campground Ordinance which has a 1000' square foot minimum camp size. The Sebago Camp Ranger said theirs are around 2000 square feet because they allow 6 tents and to allow room for vehicles and boats. They 1000 square foot lots for more remote sites. 1007.8.2, limited to 1 rv per site and 5 tents. We have two Campgrounds in town, Walton's on Riverside Drive and Dean's Landing on Chemo Pond. The Board agreed to change the minimum lot size to 1000 square feet because the State Ordinance has this regulation.

In regards to the Scott Footman Public Hearing, The Board said that if the check for the Public hearing is received by Monday, July 1, 2013, they will do it at the July 11, 2013 meeting. Russell will be able to get it in the newspaper for Thursday.

Rodney Buswell will be requesting a zone change.

STAFF REPORTS: Charlie informed the Board that Chuck McKay's Sign is 65 square feet and between 16' and 17' high. The Board said his sign design is different than what he was approved for and it is over 50 square feet. Charlie will talk to him. The Eddington Store sign is also larger than allowed, but it is grand-fathered.

Charlie has not stopped in to talk to Chris Shirland regarding his Home Occupation yet.

PLANNING BOARD COMMENTS: Gretchen would like to add the Bylaws to our next agenda. And everyone should review the Rights Based ordinance. It is not a replacement for current Ordinances; it is a declaration that is for the protection of the people that live here so that proposed projects do not violate their rights.

Susan explained to the Board that at the last Selectmen meeting, Lieutenant Craig Russell explained the problem regarding people that have named their driveways but these names are not included in the 911 Street Name Directory. If someone calls in an emergency and gives the driveway name, Penobscot County Dispatch would not know the location. Susan thinks that this should go under the 911 Addressing Ordinance rather than the Sign Ordinance. No roadway or path that goes to a single structure can have a road name. No road may be named without permission of the Selectmen. No road or driveway serving less than 2 residences can be named. Susan will come up with wording for the next meeting.

NEXT MEETING: The next meeting will be Thursday, July 11, 2013.

ADJOURNMENT: Motion to adjourn at 8:45 pm by Susan, Gretchen 2nd. All in favor.

Respectfully Submitted,

Denise M. Knowles