

TOWN OF EDDINGTON, MAINE

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PLANNING BOARD

September 26, 2013

6:30 p.m.

MINUTES

CALL TO ORDER: Meeting was called to order at 6:33 pm by Tom Vanchieri.

ROLL CALL: Members present were Tom Vanchieri, Henry Hodges, Craig Knight, Frank Higgins, Susan Dunham-Shane, Michael Shepherd, Russell Smith and Charles Norburg. Gretchen Heldmann has an excused absence. Motion to make Mike a voting member for tonight's meeting.

MINUTES: Motion to accept the minutes of the September 12, 2013 meeting after correcting the spelling of stockade under Unfinished Business and adding "All in favor" after the motion at the end of New Business by Susan Dunham-Shane, Frank Higgins 2nd. All in favor.

UNFINISHED BUSINESS: Al Belanger and Cynthia Horten came back before the Board with their completed application and map to move their camp that is in the Shoreland Zone at 122 Rooks Road. The project is an expansion of a nonconforming structure. According to the ordinance, they can have 1500 square feet of the structure within 100' of the shore and they have about 1000 square feet. They will need to re-vegetate the area where the current camp is now and replace the tree they plan to take down. Mr. Belanger is working with Charlie on a location for the new septic system. He needs an External Plumbing Permit for the tank replacement.

Motion to approve the application because the Board finds that it meets the requirements of the Shoreland Zoning Ordinance, Section 12.c, Nonconforming Structures by Frank Higgins, Henry Hodges 2nd. All in favor.

NEW BUSINESS: Hughes Bros., Inc came before the Board with their application for a Quarry (Rock Excavation) on Fox Hill. Janet Hughes spoke for the Company. They are purchasing land from Frank Arisimeek and David Butterfield. They have done some geology work at the site. This is a more long-term project than Frank had previously been permitted for. Hughes Bros plans to use the rock to service their concrete plant. There is a lot of over burden so they are looking to the southerly side of the hill first because it has less overburden. They plan to use the old Fox Lane and will bring the road over so it is not as close to the resident. Possibly in the future they will create a different entrance from Rt. 9.

They have a Purchase and Sale Agreement and Lease agreement with Mr. Arisimeek and Mr. Butterfield to insure that they can enter the property until they purchase it. They said they do not do a traffic study usually for this size project. This extra traffic is a significant increase to a residential situation. The letter mentions a 5-acre quarry, the map shows 10 acres. She said they are asking for 20 acres. Per the state they must have financial assurance when they hit 10 acres. They will submit the "Notice of Intent" to the state concurrent to the application here and will ask DEP for a 10 acre area. It would involve 10,000 to 20,000 yards of material per year. Hughes Bros will own the road when they purchase the land.

The Board requested that they provide documentation of a Purchase and Sale Agreement, Option Agreement of deed showing ownership of the land for the proposed quarry. They also need to provide more information on their restoration plan.

Motion that they accept the Application as complete and move to the Public Hearing by Frank Higgins, Susan Dunham-Shane 2nd. All in favor.

The Board will look into the noise and visual impacts. They will be blasting. There is a crusher area on the plan, but the pad location is not permanent at this point. No changing of oil is allowed at the

rock site. Hughes will be responsible for upkeep of the road if they own the road. Mike feels that Hughes Bros. would fall under the general road design standards because they are developing over the road. He feels there should be a legal agreement to protect the residents that live on the road. The Board should study Sections 903, General Road Design Standards and Section 907, Road Maintenance. If it is a development it may fall under 907.1. Russell will call the assessor to find out how the quarry is taxed. Hughes Bros. will have to meet the criteria in Chapter 4, Review Procedures, including 402.10 and 402.13. The Board will need a copy of the DEP application.

Frank Higgins recused himself from the discussion of the Rodney Buswell request for a zone change because he is an abutter. Motion to make Craig a voting member for this meeting by Susan Dunham-Shane, Henry Hodges 2nd. All in favor.

Russell explained that only a portion of his land on Map 8, Lot 11 is in the Mixed Use Zone, to the Water District Road, and the rest is in Rural Agricultural. He would like the section in Rural Agricultural changed to Mixed Use. When they were doing the Comprehensive Plan, it was asked to have the total lot in Mixed Use.

The Town decides the appropriate zone use according to the Comprehensive Plan and not zone per each resident request. He is requesting that the entire lot be Mixed Use. When considering a zone change the Board needs to consider what changing the zoning would mean to future development allowed in that particular zone. Regardless to what the current owner may want to use if for because he may not own this property in the future. Bangor Water District has a right-of-way over Mr. Buswell's land. They are not sure if Mr. Buswell could build a road over the Water Works Road. He does have frontage on Rt. 9. Mr. Buswell needs to pay the fee for it to be a complete application and to be reviewed.

Motion that the Board accepts Mr. Buswell's proposal dependent on him paying his fee and will then move on to the Public Hearing by Mike Shepherd, Craig Knight 2nd. All in favor.

OTHER BUSINESS: Russell explained that he is looking at the 1st of December for a Special Town Meeting. E911 and Tightening up the Zoning Ordinance will need a Public Hearing.

STAFF REPORTS:

PLANNING BOARD COMMENTS:

PUBLIC ACCESS:

NEXT MEETING: The next meeting will be Thursday, October 10, 2013.

ADJOURNMENT: Motion to adjourn at 8:20 pm by Henry Hodges, Craig Knight 2nd. All in favor.

Respectfully Submitted,

Denise M. Knowles