



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

November 24, 2020

6:00 pm

## MINUTES

**CALL TO ORDER:** David Peppard called the meeting to order at 6:00 pm.

**ROLL CALL:** Members present were Heather Grass, Susan Dunham-Shane, Craig Knight, Kristen Wilson, James McLeod, Jeff Argleben and Dean Bennett, CEO.

**MINUTES:** Motion to accept the minutes of September 22, 2020 as written.

By Susan DS/Craig K 2<sup>nd</sup>. Vote 4 Yes -1 abstention  
David P abstained because he was not at the meeting

### **NEW BUSINESS:**

**UNFINISHED BUSINESS:** The Board will work to finalize the Zoning Amendments. Dean B has forwarded them paperwork on items to review. The following items were discussed and changed:

1. Move that under definition for "Open Space" it will be changed to add "wetlands" (Undeveloped land, including but not limited to, woodland, fields, agricultural land and wetlands) **By Susan DS/Craig K 2<sup>nd</sup>. Vote 5-0**
2. Move that under 1008.2.5, areas suitable for development, we remove the word "district" between "resource protection" and "areas." **By Susan DS/Craig K 2<sup>nd</sup>. Vote 5-0**
3. They then discussed Road Side Stand/Farm Stand. Dean explained that currently there is an incompatibility in the Zoning Ordinance. In the District Use Chart, Roadside Farm Stands are allowed in all Zones without a permit. Dean explained that a roadside farm stand typically involves a structure and if it involves a structure the structure requires a permit. Dean suggested requiring a permit for them to which the Board wanted to develop definitions for Roadside Stand and Farm Stand. Dean has proposed a definition for Road Side Stand/Farm Stand in part because he has run into issues at another town where the farm stand grew to sell much more than vegetables and had a large building. If someone were to put a table in their yard and sell vegetables from their garden, it would not be a burden to the neighbors. If someone were to put up a stand, it would necessitate parking, more traffic in the neighborhood etc. If someone starts out with a card table but it grows to a small building and more traffic, then it would fall under this definition. Per Dean, the test is what the impact of the use on neighboring properties is. Dean further explained that it is not the structure but the use that is regulated.

Motion to add "Roadside Stand/Farm Stand – A temporary market located on a property, intended for the sale of agricultural products. Farm Roadside Stands are seasonal in nature and feature products from the property." to the definitions. **By Kristen W/Susan DS 2<sup>nd</sup>. Vote 5-0**

4. The Board next discussed Driveway and Common Driveway Standards of 902.2.3. It has been proposed to change the minimum right-of-way from 60' to 30'. Dean feels that the Town cannot regulate how wide a driveway must be, whether common or not. After much discussion, it was decided to keep the change as they proposed it.

5. Kennel, Commercial is already addressed in the definitions.
6. 2008.2.13.1 Minimum Setbacks – James M pointed out that on the chart under Processing or Storage Area the 1,000’ was changed to 1,000’. Denise will remove the red-lined change from the Chart.
7. James M questioned why the Stone Excavation setback for structures and wells was changed from 1500’ to 1200’. David P explained that they have discussed the setbacks and have come up with the figures on the Chart to bring to the Town’s People. If they vote to reject it, they reject it. James M then asked if they will be voting on the changes individually or on the whole packet. The Board agreed that it would be voted on as whole packet unless it was motioned to do otherwise. James M will vote against the changes. He further stated that even though he abutted part of the land, he would not have to recuse himself because he would not benefit from it financially. The Board will need to clarify this before the Special Town Meeting.

David P explained to the new members that the rewriting of the Zoning Ordinance has been a very long hard process of over three years. He thanked Susan DS and Craig K and the new members for their input. Susan DS said that not every change made to the Ordinance was unanimous. They all have their individual opinions and through discussion decisions were made and voted on.

In regard to the Shoreland Zoning Ordinance, Dean believes that the text is pretty much done and the map is the only item left. Jeff A will check with Maine GIS to see what they have for mapping for changes. Dean B said that communities will choose to adopt minimum standards from state and federal regulations rather than exceed standards. He believes our Shoreland Zoning is the minimum standards that the state has. If a town chooses to exceed the standards, it is tough for the town to explain why they choose to impose more restrictions on someone’s land than the state has. Gretchen Heldman had sent the Shoreland Zone map to the Town after she left but when it was sent to a mapper, it couldn’t be opened. Denise K will find the map and forward it to Jeff A.

David P asked what happens when different towns own Shoreland zone property on the same pond? Do they contact each other for their regulations? James M can get the Town of Holden Ordinance regulations to compare. Dean B explained that the state sets up minimum guidelines and some towns choose to follow them. He has never seen town’s compare ordinances. He said the Town of Eddington has the pre 2015 guidelines and will hold these until another version is voted on. Dean B said that there are things in the state’s current Shoreland zone regulations that allow more flexibility than the Eddington Shoreland Zone. David P asked Denise K to email everyone a copy of the Shoreland Zoning Ordinance with the proposed changes.

Susan DS said Denise K should update tonight’s changes to the Zoning Ordinance and send everyone a copy. It will then go to the lawyer for review along with the Shoreland Zone Ordinance.

**AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:**

**DATE OF NEXT MEETING:** January 12, 2021

**PUBLIC ACCESS:**

**ADJOURNMENT:** Motion to adjourn at 7:45 pm. **By Kristen W/Craig K 2<sup>nd</sup>. Vote 5-0**

Respectfully Submitted,

Denise M. Knowles