



# Town of Eddington

906 Main Road Eddington, Maine 04428

**PLANNING BOARD  
February 13, 2018  
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, Susan Dunham-Shane, Craig Knight, David Peppard and Deana Doughty. James White has an excused absence.

**MINUTES:** Mark P would like to change the second sentence in Unfinished Business to read: "George Mayo on the Pond Road has an easement in his deed that is 15'. He has also given a Bangor Hydro easement." Motion to accept this change.

**By Mark P/David M 2<sup>nd</sup>. Vote 4-0  
Susan DS abstained because she was not at that meeting.**

Motion to accept the minutes of January 23, 2018 as amended.

**By Mark P/Craig K 2<sup>nd</sup>. Vote 4-0  
Susan DS abstained because she was not at that meeting.**

**UNFINISHED BUSINESS:** Mark P continued their discussion on Accessory Structures.

Motion to amend Section 1102, Definitions: definition for Accessory or Adjunct by adding the words "on the same lot or of a residence on another lot within 1000'." **By Mark P/Susan DS 2<sup>nd</sup>.**

Discussion: Susan DS questioned why residence and Mark P explained that he didn't want it to involve any type of business that could use this definition to put items on another lot, such as dumpsters. Commercial property can have accessory uses as long as it is on the same lot. Denise K informed the Board that she believed that the resident that was asking about putting a structure on another lot for his boat or car was actually looking at land that was further away than the 1000' and just located in Eddington. Susan said that then it would not be an accessory structure. Denise K said they wanted to put a garage on a piece of land. Craig K said there is a building on the corner of the Blackcap Road that is part of the towers on the mountain. Denise K said she believed that David M had mentioned in the past that they would need to specify that it cannot be a business.

**Mark P will withdraw his motion.**

Mark P said they could go to the District Use Chart, under Residential Uses and add Garage with CEO review in all zones except Conservation.

Motion to add "Noncommercial Garage or Storage Building" to the Residential uses in the District Use Chart Section 606 and it be with "C", for CEO review, for each District except an "N", for not allowed, in the Conservation District. **By Mark P/David M 2<sup>nd</sup>.**

Discussion: David P asked why it wasn't allowed in the Conservation District because they currently allow accessory uses and structures. Mark P was surprised that accessory structure was allowed when a dwelling was not allowed. Farm stands, timber harvesting and riding stables are allowed in Conservation.

**Vote: Yes 4 - No 1, (David P)**

Mark P reopened the discussion on 400' frontage lots.

Motion to amend Section 607 to change the Minimum Road Frontage requirement in the RA and C Zones from 400' to 200'. The acreage will stay the same. **By Mark P/David P 2<sup>nd</sup>.**

Discussion: Susan DS said that when they revised the Zoning Ordinance, at the Public Hearing, Tim Higgins said if we have 4-acre lots with 200' of frontage, it will create spaghetti lots. She said several other people in the meeting felt the same way and that is why it was changed to 400'. About a year after the Ordinance was changed, it was suggested that it be changed to 300'. Mark P said there is a lot of back land that the 200' would make the land more accessible. Susan DS thinks the 300' would make it more palatable and keep the rural feel. David M questioned whether this would be something that will be affected by the new Comp Plan that will be worked on soon and whether this change will have a positive or negative impact on the town. Craig K is concerned about having strip lots 200' wide with 10 acres of land. Susan DS said when she joined the Board it was emphasized that when you write an ordinance it is for everyone and sometimes you have to make hard decisions. (If a right of way is granted for a piece of land, the frontage requirement can be met on the road the property is on or on the right of way.)

Motion to amend the motion to change the frontage requirement in just the RA zone from 400' to 200' **By Mark P/David P 2<sup>nd</sup>. Vote: Yes 3 – No 2 (Susan DS & David M)**

Susan DS pointed out that many of the lots in the RA zone are much more than 4 acres. Mark P said that they have sold off acreage over the years and are left with 150 acres with 400' of frontage. He feels that this is a waste of land.

Mark P said the private road change was not done for just one person. Mr. Plisga had come in because he was asked to lay out a house lot and explained that it was a preexisting 30' right-of-way. He continued that there are many of those around and the people living on them should be able to make new lots.

### **NEW BUSINESS:**

**AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:** Mark P will be traveling the end of February and may not be back for the February 27, 2018 meeting. The Board agreed to cancel the meeting and if something is filed, Russell S can contact the Vice Chair.

David M asked when they were going to get back to the Shoreland Zoning. Gretchen had done the map but it needed to be updated. She had left the Board and said she would update it for a fee or the town could send out RFP's. Russell S said he did not find anything in her paperwork regarding the changes. He has talked to another man that does mapping and he will do it but he is looking for what the changes are. Susan does not know how to translate what is in the red-line to what the map has. She will email Gretchen H and say this is the date on the map we have and how does she translate what is in the red line. Susan DS will let Mark P and Russell S know what she finds out.

Russell S informed the board that a gentleman was in that lives across from the 23 acres that Scott Footman has up for sale. He currently has a small maintenance business in Brewer. He does carpentry, painting, landscaping, lawn care, plowing etc. and is interested in setting up a little shop there. The property is in the Rural Residential zone and this type of business is not allowed, though other people in town have the same type business. The gentleman would like to know what he needs to do; request a zone change or change to the Use Table. With I395 coming through town, the Comp Plan will address possible changes. Robert Maquillan had come before the board regarding this property, but he could not specify what he might do with it. With a Home Occupation, there would be no sign of a business, where this business will have trucks, plows, lawn mowers, etc. Russell S mentioned that there is another piece of property in town between the school and the Davis Road which has a snowplowing and landscaping

business but it has grown to have a lot of equipment. A neighbor has expressed concern as to if all the vehicles are registered there.

“The home occupation shall be carried on wholly within a residence, or a building accessory to said residence by a member of the family residing in said premise or with the assistance of not more than one additional person other than occupants of the dwelling.”

Russell S said there are a lot of people out there with this type of business but the ordinance does not address it. Mark P said he would look at it like a landscaping business were none of the work is done there. Russell said that if he bought the land he would not be allowed to build a garage unless it is an accessory structure. Susan thinks the gentleman near the Eddington School may fall under a Cottage Industry and possible the gentleman that spoke to Russell S. Russell S asked if the residence has to be on the property. Susan DS read from the Zoning Ordinance:

**1002 Cottage Industry:**

**1002.1** A cottage industry is a use that may include retail, office, service, commercial or industrial, which due to its size is low intensity and produces a minimum of impacts for adjacent properties. The cottage industry is a small commercial operation which is traditionally operated in rural communities and allows households to create income and economic opportunities.

**1002.2 Standards:**

All cottage industries shall comply with the following:

**1002.2.1** Each cottage industry shall be considered a principal use and comply with applicable dimensional requirements. A cottage industry which only uses existing structures on a property is exempt from meeting the road frontage and set-back requirements.

**1002.2.2** The total number of employees, including family members residing and working at the cottage industry, shall not exceed 5 employees.

**1002.2.3** Cottage industries which grow or exceed these standards shall not be considered as a non-conforming use, and shall be treated as a new use. They shall be required to reapply to the Planning Board with an application for a new use. Any cottage industry not in compliance with these standards shall be considered in violation of this Ordinance.

**1002.2.4** The total square footage of all structures and exterior storage areas (based upon ground floor area) used for the cottage industry shall not exceed 2,000 square feet.

Russell will let the gentleman know about cottage industry.

Russell said someone else was in this morning and said they may want to sell their house and move to Florida, but they still have a piece of land in town that they would like to put a garage on to store their items and then come back in the summer and park their camper there.

**DATE OF NEXT MEETING:** The next scheduled meeting will be on March 13, 2018.

**PUBLIC ACCESS:** Mark DeRoche, Stoney Ridge Road, asked what is going to restrict someone from putting up a garage and bring their junk to Eddington and then the man comes out and shoots a gun off all day Saturday. Are there any restrictions that can be put on it? Shipping containers are temporary structures. Mark P said this will be an issue for the Code Enforcement Officer. David P asked if they could look into putting some definitions with the new Noncommercial Garage use? Mark P would like the Board to think about it and discuss it at the next meeting.

**ADJOURNMENT:** Motion to adjourn at 7:18 pm.

**By Mark P/Craig K 2<sup>nd</sup>. Vote 5-0**

Respectfully Submitted,  
Denise M. Knowles