



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

April 25, 2017

6:00 pm

MINUTES

CALL TO ORDER: Mark Perry called the meeting to order at 6:00 pm.

ROLL CALL: Members present were David McCluskey, Craig Knight, Mark Perry, David Peppard and Alternates, Pam Chapman and Jim White and Charles Norburg. Susan Dunham-Shane has an excused absence.

MINUTES: The March 28, 2017 minutes were tabled.

UNFINISHED BUSINESS: Janet Hughes is present for a Hughes Bros Application update. She had hoped to have a complete package for the Board today so that it could be reviewed for the next meeting. They are still working on some items in the Site Plan and the proposed contours of the site after it is excavated. Hughes Bros. has completed their work to provide an amendment to the application that has already been submitted. Most everything is in the Blue Book and then the new white binder will contain all of the new items requested that were different from the original ordinance and she has numbered them for easy reference to the original submission. Janet explained that the reclamation for a gravel pit is different than a quarry. She said the MDEP requires that a quarry be maintained as a pond. Hughes Bros. has devised the quarry to be in the best spot they can access. They have to stabilize everything after the first five acres and then come to the Board to move on to the next section. They will set up a site visit with the Board if they would like one. Janet explained that providing the information of all structures ½ mile from the property boundary was very expensive. MDEP requires ½ mile from the blast site. Janet said one of the things that was talked about in the past was that the town would provide electronic overlay of tax maps and identify all of the adjacent property owners.

Mark P explained that it would be very helpful if Hughes Bros could provide a list for the Board if a section was addressed or voted on at a prior meeting and the date of that meeting. Janet will work on it over the next couple days. Mark P will put Hughes Bros on the agenda for the next meeting and if it has to be postponed because the paperwork has not come in in time to review, it can be.

NEW BUSINESS: Charles Norburg explained that Robert Crosby's business Crosby's Gun Shop at 25 Main Road is allowed as a Home Occupation and as such is allowed a sign no larger than 2 square feet. Mr. Crosby wishes to put up a sign larger than 2 square feet and cites sub-section 1005.9.2 which refers to Commercial businesses, among others. At his original site plan review, he was not allowed to have a commercial business because he did not have the required acreage of one acre per principal use, the lot being only .23 acres. The Planning Board worked hard to allow him to have this Home Occupation. Charles N continued that the area where he wants to place the sign appears to be off his property, which is not allowed under section 1005.2.2 of the Ordinance as well as a violation of State Statute. Mr. Crosby completed his sign application as a retail commercial business and wants a 40" x 40" sign. Robert Crosby has come to the Planning Board on his own because he feels this would be where he would get an answer. David M said there is no process for them to grant him permission. Mark P feels that if the CEO denies the sign permit, he can refer Mr. Crosby to the Appeals Board. Jim W questioned that if he already has a

permit for a business in town, why couldn't Mr. Crosby rent a piece of land from a neighbor to put his sign on rather than restart the whole process? Russell S suggested that Mr. Crosby could request a change in the sign section of the Zoning Ordinance. Mark P said a change could be requested to eliminate the acreage requirement or sign size requirements. Craig K said Mr. Crosby will put the sign in the back of his pickup and park it by the end of his driveway if he cannot get a permit for a new sign.

Motion that the Building Inspector tell Mr. Crosby that if he wants to pursue this he needs to go to the Appeals Board. **By David P/Mark P 2nd. Vote: Yes-4/Abstention-1**

Joan Brooks said Point of Order, that if you are abstaining you have to give a reason why. Mark Perry said that you have to be a part of the deliberative body to make a parliamentary motion.

The Board will now move on to the revision of the Planning Board Bylaws. Mark P asked if anyone has any comments or items that they need to address.

Motion that the Effective Date of these Bylaws be April 25, 2017. **By Mark P/David M 2nd. Vote 5-0**

Motion to strike the 2nd sentence of 4.3.6. **By Mark P/David P 2nd. Vote 5-0**

Motion to remove current 4.4.1 through 4.4.3 and replace them with the new 4.4.1 through 4.4.5 noted in the minutes of the March 28, 2017 meeting. **By Mark P/Pam C 2nd.**

Discussion. David M questioned whether there was a method of handling an application that could impact the entire Town and the applicant could use this against the entire Board? Russell S verified that the Eddington Ethics Policy is a Policy and not an Ordinance.

Motion to add "4.4.6 Rule of necessity applies" to the above motion and amend it to read to replace with the new 4.4.1 through 4.4.6. **By Mark P/David P 2nd. Vote 5-0**

Motion to amend 4.5.3 to add "official" before "site visits" **By Mark P/David M 2nd. Vote 5-0**

Motion that Staff Reports be deleted from 5.4.1 Order of Business. **By Mark P/David P 2nd. Vote 5-0**

Motion that Planning Board Comments be stricken from 5.4.1. Order of Business. **By Mark P/David P 2nd.**

Discussion: Craig K thinks the Planning Board members should have the option to ask questions and also that the Public should be able to ask questions. David M questioned at what point in the meeting would the Planning Board be able to discuss future efforts or areas to work on or set up special Board Meetings.

Motion that, with the understanding that there is another item further down in the Agenda that they will be voting on called Future Meetings/Housekeeping, all in favor of removing Planning Board Comments

Vote 5-0

Motion that we remove Public Access from the Bylaws and it will be removed from agendas in the future. **By Mark P/Pam C 2nd.**

Discussion: David P questioned whether that would eliminate the ability of the Chairman to recognize someone. Mark P said Public Hearings are for people that have comments and want to speak. Russell S said that if people have questions about a future project, they can contact the Town Manager or CEO and be put on the agenda. David M suggested allowing people to speak, but with the 3 minute time limit. He feels people need an opportunity to express their feelings and if they can't at the Planning Board Meeting they will go to the Selectmen and Mark P said that is more appropriate. David M also felt that sometimes a resident may have information that would be helpful to the Planning Board. Mark P finds it troublesome that they can have a Public Hearing and then someone come at Public Access and express an opinion that may prejudice everyone. David P suggested a summary by the Chairman that if anyone has any information to share they should get in contact with Charles N or Russell S.

Vote: Yes-4/Abstained-1

Motion to add "Agenda for Future Meetings/Housekeeping." **By David P/Mark P 2nd. Vote 5-0**

Motion to add "Date of Next Meeting." **By Mark P/David M 2nd. Vote 5-0**

OTHER BUSINESS:

STAFF REPORTS: Charles N has been sending out letters regarding illegal signs in town.

PLANNING BOARD COMMENTS:

PUBLIC ACCESS:

ADJOURNMENT: Motion to adjourn at 6:59 pm. **By Mark P/David P**

Respectfully Submitted,

Denise M. Knowles,