



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD
February 6, 2024
5:30 pm
MINUTES

CALL TO ORDER: David Peppard called the meeting to order at 5:37 pm.

ROLL CALL: Members present were David Peppard, Heather Grass, Craig Knight, Susan Dunham-Shane and Sarah Maquillan. Scott N has an excused absence.

Motion to make Sarah M a voting member tonight. **By Craig K/Susan DS 2nd. Vote 4-0**
(With the understanding that Sarah M cannot vote on the Finding of Fact because she does not know all of the details of the review of the application.)

MINUTES: Move that we accept the minutes of December 12, 2023 as presented. (David P commended Sarah M for the very good job she did with the minutes.)

By Susan DS/Craig K 2nd. Vote 5-0

UNFINISHED BUSINESS: David P thanked Susan DS for the extraordinary work she did on the Finding of Fact for the BD Solar application. Susan DS pointed out that she has underlined each condition and created a list at the end of the FOF of the items that need to be addressed by BD Solar before the CEO can issue their permit. Susan DS said that she believes that they have reached a point where it can be turned over to the Code Enforcement Officer. She has sent a copy to Rick L and he responded that it matches the Ordinance and he will work with Alexandria Jesiolowski, the new CEO, to issue the permit. BD Solar cannot move forward until they prove to the CEO that they have met the conditions and the Board of Selectmen approve the two promissory notes.

Motion to accept the Finding of Fact as presented as long as they meet the requirements with the CEO.

By Susan DS/David P 2nd.

Per David P and Susan DS they need to provide:

1. The revegetation plan signed by the Forester and Engineer.
2. The rewritten Decommissioning Plan with the force majeure removed and the new owner's name provided.
3. New copy of Title or Interest which replaces original submission for 107.2.1 and 107.2.2.
4. The applicant will be responsible for maintaining communication lines with the Town Manager regarding road use scheduling on the Davis Road and responding to concerns filed by citizens. All citizen concerns will go to the Town Manager, or her designee, who will communicate with the applicant's designated construction supervisor.

This places the project in the CEO's hands.

Motion that we accept the Finding of Fact with its conditions and requirements as presented and that we will sign it.

By Susan DS/Craig K 2nd. Vote 4-0

(Sarah M cannot sign the FOF because she was not part of the review of the application. Scott N said he would stop by the office to sign the FOF.)

Susan has a copy of the Selectmen Minutes where they made the motion for the Sureties for the project, to put with the Finding of Fact and Planning Board Minutes.

NEW BUSINESS: The new Code Enforcement Officer, Alexandria Jesiolowski, was unable to attend tonight's meeting.

David P said they will now go into Open Discussion.

Craig K said that the final scheduling of meetings is sometimes dependent on information that is needed from an applicant that delays scheduling of the meeting to the day of the meeting. He would like to see that stop so that they are required to provide any information the day before a proposed meeting date. Susan DS said that it was changed in the Zoning Ordinance that information needed to be provided 7 days before a scheduled meeting. Denise K explained that it was usually in the case of additional information that was requested from an applicant and the only reason to have the meeting was if that information was received. David P said that when future meetings are scheduled, if the person on the docket has not supplied the necessary information 7 days prior to the meeting they are not on the Agenda. Susan DS said they have tried to tighten this up in the last couple of years, but sometimes maybe 4 items are needed, they receive two before the meeting but do not receive the other two so another meeting is needed. Sarah M suggested requiring that the complete package is provided before anyone is placed on an Agenda. (Susan DS would like to see this addressed in Public Access that they word search the Ordinances for "Timely Presentation") Sam Ketterman added that in judicial proceedings if one party is not ready to precede, they would just request a continuance and David P said that that would apply in this situation. Sarah M asked the benefit of taking action on part of the application when they cannot move forward with their project until the whole thing is complete and approved. Susan DS explained that it may be the case of an application being deemed complete, but during the review of the application more information was determined to be needed and sometimes it involved the applicant waiting for DEP for a permit. Everyone is in agreement that they will be stricter in scheduling meetings.

Susan DS has a couple items that were mentioned during the application review for the Board to address later:

1. Create an application form with a two-box punch list to be able to track the review process easier. Sarah M said it was different in Bangor because they have a Planning Staff that does a lot of the work that this Planning Board has to do. They have a City Planner who creates that checklist after the Staff has reviewed the application for missing items. The Staff works with the applicant on getting the needed information so that by the time it gets to the Planning Board it is in theory ready to go.
2. Site Plan Review Application, Submission requirements page, items I and J should be items 9 and 10.
3. Shoreland Zoning Ordinance, Rick L was supposed to send them what he sent to the State for Dedham. They may want to ask Ally J to contact Rick L regarding this.
4. Review the copy of the Subdivision Application that they received from Rick L for possible use.
5. CEO review of Subdivision Submission Package. Susan DS will give them to Denise to scan in and send to the Board for their review for any changes.

6. Susan DS asked the Select Board to think about how they are going to address the road problem in Town because it is starting to affect people buying houses in Town. She thinks they will find that people are splitting off lots and selling them and not doing roads. The Selectmen suggested that they may want to look at the Subdivision Ordinance which says no road will be accepted as a town way except by the vote at a Town Meeting. She continued that Mark Carreira talked to MMA about it and he asked if they could make it that the road will be accepted if you build it to Town specs and it is inspected and MMA people said yes. Susan DS said they have to do something to address this issue. Heather asked who pays to bring the road up to town specs, the Town or the people that live on it and Susan DS answered the people that live on it. Susan DS continued that building a road to town specs does not guarantee its acceptance as a Town Road by the residents. The response over the years has been that there hasn't been a road presented to the Town to accept since 1960. She said that the Fire Department has sent letters to everyone on Fox Lane that they could be in danger of not being able to get insurance because they cannot guarantee that they can get their equipment up to their house.

AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING

DATE OF NEXT MEETING: The Board suggested a meeting on Tuesday, February 27, 2024.

PUBLIC ACCESS: Roger Wood informed the Board that he has been approached to have a Solar Farm on his property. His land is currently zoned Residential. He asked if there was a path to change the 10 acres they are interested in to something else that would accept a solar array. It takes a recommendation from the Board and a vote from the residents to change the Ordinance. Roger W also questioned why the large scale solar array covered such a wide range of acreage, 2 to 100 acres.

ADJOURNMENT: Motion to adjourn at 6:35 pm. **By Heather G/Susan DS 2nd. Vote 5-0**

Respectfully Submitted,

Denise M. Knowles