



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

April 25, 2023

5:30 pm

MINUTES

CALL TO ORDER: David Peppard called the meeting to order at 5:32 pm.

ROLL CALL: Members present were David Peppard, Susan Dunham-Shane, Craig Knight, Scott Newhart and Heather Grass.

MINUTES: Motion to accept the minutes of the Public Hearing of March 28, 2023 as written.
By Susan DS/Heather G 2nd. Vote 5-0

NEW BUSINESS: The Board will begin their review for completeness of the Applewood Estates proposed 20 multi-family units in 5 buildings at 1554 Main Road, Eddington by GC Properties, LLC, prepared by Kiser & Kiser.

Jim Kiser of Kiser & Kiser addressed the Board, the original sketch plan last fall was for 3 buildings with 5 units each. Since then they have acquired more land and they have increased their application to 5 buildings with 4 units each. He continued that the additional land will meet the Ordinances density requirements. They will widen the driveway and have provided the approved MDEP Driveway permit for the 20 units. There will be a central driveway, it will serve the left hand units which all have garages and 2 parking spaces out front. They will have engineered septic systems that will also require state approval. The water will be from Bangor Water District and will tap on the opposite side of the road. They will core under the road and run the line in. There is a letter in the packet from Bangor Water stating that their plans are adequate for what they need. There will be a dumpster at the back of the lot, a cluster postal box as required by the Post Office and a turnaround for emergency vehicles. There will also be a T in the driveway that they may also use.

The overall storm water impervious surface is less than the criteria for MDEP permits. It drains onto the owners' land that is not part of the development. They will be keeping the two barns on the property and the property will be a single owner rental. They have erosion control shown on the plan. They are happy to answer any questions the Board may have.

Susan DS questioned the taxes mentioned on the Warranty Deed and the Jim K explained that they are usually prorated between the previous owner and new owner so that each will pay taxes on the part of the year that they own the property. Chad Gates originally purchased the property and then signed it over to GC LLC. Susan said the deed shows 6.24 acres but their drawing shows 9.952 acres so they need to provide proof of ownership of the 3.71 acres. They will get a deed. Susan DS pointed out that the construction dates have changed. Item j. in the review criteria, Susan DS said the IFW letter seemed to say there needed to be a vernal pool and Jim K said they have done a complete review and there are no vernal pools on the property.

From Subdivision Ordinance, preliminary plan submission

- a. Location map showing existing properties does not show adjacent properties. They stated that they own all of the adjacent properties. Susan DS said that they will need

to provide a copy of the Tax Map with the lot information. They have the names of the abutting owners to the property.

- b. Susan DS verified that the wetlands on the map are the only two.
- c. #1, Boundary of all Shoreland zoning districts. Jim K said there was no Shoreland Zoning, but Susan DS said he Mill Brook Stream is a perennial stream so they may need a water buffer. They will check the Shoreland Zoning Map.
- d. They verified that there is a fire hydrant on Rt. 9 about 1500' down the road. They will be splitting the 4 unit buildings in half with a firewall separation so they do not require a sprinkler system. David P asked if they would consider a hydrant and Jim K said they are only running a 2" pipe across the road. They can bore that size much easier than a 6" or 8" line. Jim K said the hydrant was enough coverage. Scott N asked if 2" was providing enough pressure and Jim K said yes for domestic use. The application says 60 psi which is adequate for service. (Jim K said he was told it may be closer to 100 psi)
- e. 305.3.1. f. They need a letter from the Fire Chief regarding fire control and any other documentation.
- f. 305.3.1 Susan DS pointed out that they need the following: h. Documentation indicating that the applicant has the financial and technical capacity to meet the requirements of this Ordinance. Also m. Submission of information required in Section 406. Jim K said that technically this applies to public improvements and they do not have any so it usually doesn't come in to play. Susan DS explained that when they did the Subdivision Ordinance this was put it for the applicant to show that they have the financial capability to actually make roads, do the storm water and anything else required for the development. Scott N agrees with Susan DS and added that Section 406, (406.1, 406.1.1, 406.1.2 and 409.1.3) Financial and Technical Capacity, is part of the submission requirements and needs to be included. Jim K said they would take care of it.
- g. Susan DS verified that they have the Driveway permit from the state and Jim K also said that the Waste Water Permit would be with the Building Permit.
- h. Section 1007, Open Space Standards, Zoning Ordinance, Pages 49-52, since they are using this to determine maximum number of units and density, 1007.2.14 would apply. It says that the location of subsurface wastewater disposal systems and an equivalent reserve area for replacement systems shall be shown on the plan. Jim K said that typically with these types of systems they are rebuilt in the same location. He will add that information to their submission. Jim K continued that with this project the property is at its density limit with 20 units.
- i. Page 3 of their packet, Scott N asked who determined that no DEP Storm Water Permit is required. Jim K said he determined it and explained that it is done by calculating impervious land on the site. It is less than 1 acre so it does not meet their regulatory criteria. He continued that Note 7 of the Site Plan, approximately 2 acres of disturbed area, 33,800 square feet of impervious area, which is under the 43,000 for an acre. Jim K clarified that the shaded area is paved, the rest is grass and buildings, with no gravel area. (Susan DS wanted the rest of the Board to know that she is not wrong, DOT says impervious surfaces are the footprint of buildings, pavement, gravel and other impacted surfaces.)
- j. Scott N referred to 404.2 in the Subdivision Ordinance and asked if the Fire Chief had been contacted regarding this:

404.2 The Fire Chief in making his/her determination that adequate provisions are made for fire protection shall consider the following:

404.2.1 The road is adequate for the passage of fire equipment.

404.2.2 An adequate water supply is available near or within the subdivision to serve the density of the development.

404.3 The Fire Chief shall approve the fire protection measures proposed for the subdivision or shall make specific recommendations to improve the fire protection measures. In making recommendations, the Fire Chief may recommend the installation of fire ponds, dry hydrants or other similar features.

Jim Kiser said he usually submits the application to a Planning Board and the Fire Chief gets a copy and then responds. He said that he will get the letter from the Fire Chief.

The Board can meet on May 9th, 2023 and determine that the missing items have been provided for the Applewood Estates application. The applicant will provide copies of the missing information in a supplemental for the Board members and a complete copy for the Office by May 2, 2023. Denise K will email it to the Board and let them know they can pick up their copies if they want. If everything is complete, they will schedule their Public Hearing for May 23, 2023. Jim K pointed out that there was no Subdivision Application and Susan DS said that she had talked to Rick Leavitt about creating a Subdivision Application and including the items from the Zoning Ordinance that are required. Jim K asked if there is no public comment at that Hearing and the Board is satisfied with what they have seen, if there was a chance they could get approved that night. Susan DS said they would have to discuss it and decide how it will be handled considering the BD Solar application also. Susan DS will ask Rick L if they need copies of building plans and let them know. Susan DS will make a list of the items needed and email it to Denise K so she can forward it to Mr. Kiser.

UNFINISHED BUSINESS:

PUBLIC ACCESS:

AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING: David P has decided that they do not need to meet on May 4, 2023 because they should not continue to review the BD Solar application until after the Informational Meeting. On May 9, 2023 they will review the missing information they receive from Applewood Estates and if it is now complete, they will schedule their Public Hearing for May 23, 2023. After the Public Hearing they will continue the review of the BD Solar application. And tentatively schedule the next meeting for June 6, 2023 where they can do the Final Review of the Applewood Estates application. Susan DS suggested that if the Information Meeting is not too long, they could do some more review of the BD Solar application after it. The Board members agreed to this meeting schedule.

Denise K informed the Board that she has been emailing with Nick Sampson of BD Solar and he will rewrite his notice to mail to the residents on the Davis Road and any roads off Davis Road to invite them to an Informational Meeting hosted by BD Solar. (His original notice was worded like a Public Hearing by the Planning Board, so Denise K had informed him that it should be worded from BD Solar and explain their purpose for the meeting.) Denise K has forwarded him the names and addresses of everyone on Davis Road and any offshoots and they will mail notices to everyone.

DATE OF NEXT MEETING: The next meeting will be May 9, 2023 at 5:30 pm.

ADJOURNMENT: Motion to adjourn at 6:50 pm. **By Heather G/Scott N 2nd . Vote 5-0**

Respectfully Submitted,

Denise M. Knowles