

# TOWN OF EDDINGTON, MAINE

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## PLANNING BOARD

September 25, 2014

6:30 pm

## MINUTES

**CALL TO ORDER:** Tom Vanchieri called the Meeting to order at 6:33 pm.

**ROLL CALL:** Members present were Tom Vanchieri, Susan Dunham-Shane, Henry Hodges, Craig Knight, Gretchen Heldmann and Charles Norburg, CEO. Frank has an excused absence.

Motion to make Craig a voting member for tonight's meeting **By Henry, Susan 2<sup>nd</sup>. Vote 3-0**

**MINUTES:** Motion to accept the minutes of the September 4, 2014 meeting as written.

**By Susan/Henry 2<sup>nd</sup>. Vote 3-0 Gretchen abstained because she was not at meeting.**

Motion to accept the minutes of the September 11, 2014 meeting after changing "no" to "not" in #17.

**By Henry/ Gretchen 2<sup>nd</sup>. Vote 4-0**

Motion to accept the minutes of the September 18, 2014 meeting with the following changes:  
Under Planning Board Comments, change "Stated" to "States" and "DOT" to "MDOT"

**By Susan/Gretchen 2<sup>nd</sup>. Vote 3-0 Henry abstained because he was not at meeting.**

**UNFINISHED BUSINESS:** There were not any new applications or agenda items, so the Board continued their work on the Mineral Extraction Ordinance. They started at Article V, Section 2, #3. Groundwater Protection, paragraph 3.

1. After much discussion about extraction within 5' of the seasonal high water table, it was decided to table it for now and flag this section to work on later.
2. Paragraph 4, After extraction add: Article V, Section 2, B. 3. d. from Hancock, "A mineral extraction activity must not withdraw more than 5,000 gallons of ground water per day, unless a hydro-geologic evaluation performed by a qualified professional, determines this will not represent an environmental hazard or threaten drinking water supplies." and flag this section to find out why 5000 GPD was used. Gretchen referenced some information online regarding large water usage and she will research the 5000 GPD.
3. Paragraph 10, Standards of Ground Water Impacts, Flag this section for Gretchen to research. She will also try to find out what items the DEP tests for. Larry, from Hughes Bros., said that DEP tests for up to a year before any work starts for a variance. If they were not going below the water table, it would not be an issue. The quarry cannot operate until data is collected. Larry said this does not affect the permit. The state will watch the tests after they begin operating. Tom said that they take the wait and see attitude and if it is polluting, it is too late. He feels there should to be a better way to do it than that and that is why he worries about the state regulations. Correct the spelling of "how" in c).
4. Paragraph 11, Site Plan, change "dept" to "depth" (Note from Denise, you may want to letter the sections under 3. Groundwater protection for easier reference like the other sections.)
5. Number 7, Property boundary and buffers, Add F. 3. from Mt. Desert, "All buffers must be preserved in their natural vegetative state as existed 6 months prior to an application for a new quarry, or for an expansion to an existing quarry, in the natural vegetative state that existed at time of initial licensing by the Town.", to the beginning of this section and move the current sentence down to start its own paragraph.

6. Section 2, 7. a. This section should remain flagged, red notes in first draft.
7. Section 2, 7.c. change “neighboring uses” to “abutments”
8. Section 2, 7. d. Flag the first sentence “A physical barrier, in the form of a vegetated buffer or screening or a combination of both, must be provided to minimize any detrimental effect of a mineral extraction operation beyond its property lines, to the greatest practical extent.” Correct “b” to “be”.
9. Section 2, 7. e. Capitalize “Protection”, Do not need to specify current edition because it is a law.
10. Section 2, 8. e. Change “DOT” to “MDOT”
11. Susan will make a list of things that are flagged for the Board members. She will make new changes to the first submission next. And then she will work on the last sections changes and revisions.
12. Section 2, 9.7, Add to the end: “If Municipality has to perform this work, it shall be at the operators expense.” Larry said that the DEP will inspect and force the operator to do the work.” Susan explained that if there was an immediate problem and the operator had not dealt with it, the Town needs to have recourse so they don’t have to wait for DEP to schedule someone to mosey down in a while.
13. Section 2, 9.10, Change “qualified professional” to “Maine Licensed Professional Engineer.”
14. The Board will stop here and continue at Section 2, 10. Traffic at the next meeting.

**NEW BUSINESS:**

**OTHER BUSINESS:**

**STAFF REPORTS:**

**PLANNING BOARD COMMENTS:** Gretchen informed the Board that the Biological Opinion Study is out and available on the I395 Website.

The Board agrees that having a meeting every week has proven to be very hard. They will not be meeting next week. Gretchen suggested that the Board could schedule a workshop on the weekend. They could arrive in the morning and work for four hours. Tom suggested starting the regular meetings an hour earlier to give them more time to work on the Ordinance. The Board will think about it and bring their calendars to discuss a meeting schedule at the next meeting.

Susan will send everyone the flagged items, plus 13 through 18 and possibly Article 6.

**PUBLIC ACCESS:** Mr. Wood asked if they would be able to look at the flagged items list. The Board said it would be available at the meeting.

David McCluskey thanked them all for the extra time they spend outside of the meetings working on the Addendum.

**NEXT MEETING:** The next meeting will be Thursday, October 9, 2014. Susan will try to make this meeting, but she will not be available from about October 11 to November 2, 2014.

**ADJOURNMENT:** Motion to adjourn at 8:27 pm.

**By Gretchen/Susan 2<sup>nd</sup>.**

Respectfully Submitted,

Denise M. Knowles