



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

February 9, 2016

6:00 pm

MINUTES

CALL TO ORDER: Susan Dunham-Shane called the meeting to order at 6:00 pm.

ROLL CALL: Members present were Susan Dunham-Shane, Craig Knight, David McCluskey, David Johnson, Charles Norburg and Russell Smith. Gretchen Heldmann has an excused absence. David Peppard arrived at 6:02 pm

Motion to make Mr. Johnson a voting member for tonight. **By David M/Craig K 2nd. Vote 3-0**

MINUTES: Susan Dunham-Shane requested the following changes to the minutes of January 26, 2016: She would like the page numbers inserted on the minutes. Page 3, 2nd paragraph, 2nd sentence, add "online" at the end of the second sentence; third sentence, change "and" to "but" and "she" to "he"; fourth sentence, change "He" to "The CEO" and add the sentence "The Town manager indicated that he thought he had seen a hard copy of the Shore Land Zone, but it was not online and he wasn't sure where it was." Page 4, paragraph under chart, at the beginning of the sentence that starts "Frank Arisimeek" add "Susan reminds the Board that" and in the last sentence change "MDOT" to MDEP". Page 5, Planning Board Comments, change "possible" to "possibly", second paragraph, before the last sentence add "He pointed out to the Board that Janet Hughes is present tonight and does the Board want to talk about the letter?"

Motion to approve as amended, the January 26, 2016 Planning Board minutes.

By David M/Craig K 2nd. Vote 4-0

NEW BUSINESS: Scott Anderson is present for the Verizon Wireless Telecommunications Facility Application. The Board will determine the completeness of the application tonight. They would then review the application and hold a Public Hearing. Verizon has a waiver request for 6.2.A.)4.)c.) a boundary survey for the project performed by a land surveyor licensed by the State of Maine. Pursuant to Section 6.3 Waiver Submission: The Planning Board may waive any of the submission requirements based upon a written request of the applicant submitted at the time of application. A waiver of any submission requirement may be granted only if the Planning Board finds in writing that due to special circumstances of the application, the information is not required to determine compliance with the standards of this Ordinance. And 6.5. Notice of Complete Application: ... The Planning Board shall review any requests for a waiver from the submission requirements and shall act on these requests prior to determining the completeness of the application....

Mr. Anderson reviewed that they had come before the Board last July with this proposed tower. They appreciate the Town's work on an issue with the Ordinance to allow this project to proceed. They propose a 190 ft tower in the same location as the prior application. In addition to the change in our Ordinance, the only difference is that Verizon has been switching from the prefab equipment shelters to externally mounted equipment cabinets for the electrical equipment. The equipment is separated into different cabinets and is covered by a roof with four corner posts, but no walls. The purpose of the roof is to protect the equipment from ice falling from the tower. These cabinets are smaller and quieter than the previous shelters, with small fans to keep the equipment cool. The tower will not be lit and will be visited once a month by a technician so there is no traffic impact.

The application addresses the application requirements and performance standards for the Site Plan Review and Wireless Ordinance. The application also includes an attachment that shows the current gap in wireless coverage and how this new tower will fill that gap. The basis for the waiver request is that the proposed facility is 700' from the closest property line as they are meeting setbacks for buildings, etc.

The Board members are all comfortable with granting the waiver request.

Motion to approve the waiver request to item Section 6.2. A.) 4.) c.) which reads "a boundary survey for the project performed by a land surveyor licensed by the State of Maine", for the proposed Verizon Wireless Telecommunication facility located on 920 Main Road, Eddington Maine because as shown on Sheet C-1 of the site plan, the proposed facility is located more than 700 feet away from the nearest property line, and access is via an existing road. As such, no new construction is proposed in proximity to any property line.

By David M/David P. 2nd Vote 4-0

The Board will review the application to determine whether the applicant has included all of the information. Each of the Board members took turns reading each of the requirements from the Zoning Ordinance, Site Plan Review, Sections 402, 403 and 404 along with Section 6, Application Requirements and Section 7, Standards of Review from the WTFA which are contained in Sections B, C, D and E of the application.

Comments during the review process included:

1. 403.2.7 Susan pointed out that in the application form it has a 187 ft tower, in the written section it is called a 190 ft tower and in Section J it is listed as 186 ft. Mr. Anderson explained that the application form should be like the written section with the physical tower structure at 190 ft, The centerline of the antenna is the 186 ft which is the radio frequency line talked about in Section J.
2. David M. questioned that the application has a 100 ft x 100 ft area, but in the document it has a 75 ft x 75 ft area. The applicants explained that the leased area will be 100 x 100 and the fenced in area will be 75 x 75.
3. 403.2.8 David M questioned the new structure configuration, A-1 and A-2 of the application give the top and side views.
4. 404.2.2 David M will write a letter for the waiver for the next meeting. Denise will email him the motion. He should also provide spaces for the Board members to sign.
5. 6.2(5)b David P questioned that it did not say anything about lighting. David M and Susan said there was a section in the back that addressed it.
6. 6.2.5.d Susan asked if they are considering that the narratives on the photos are the narratives for this section. Mr. Anderson answered yes. He then explained how a red balloon was flown at the site of the proposed tower with the bottom of the balloon at the 190 ft height. The consultant Ben Paren does a drive test and drove a three mile radius around the site and took pictures. Those pictures showing where the tower would be visible were included in the application. Fox Lane and Blackcap were beyond the 3 mile, but because the Planning Board had requested photos from those areas, they are included in the Section N of the packet.
7. 6.2.5.d.ii Mr. Anderson explained that the photograph of 1027 Main Road showed the closest photo of the tree line elevation to the facility. It is about 1200 ft away. They could not do a photo 100 ft away because it is all forested. This photo gives the best view.
8. 6.2.7.c Mr. Anderson said that some of the narrative was omitted because there weren't any facilities close by.
9. Mr. Anderson said they will do a formal presentation with more detail at the Public Hearing to give the audience a complete understanding of the project.
10. 402.1 The application is complete and the applicable fee has been paid. Susan said they cannot vote on this one. It is in the wrong place.
11. 402.2 Charles N. said that to insure that proper erosion and sedimentation controls are used for this type of construction, a state contractor who has met the requirements of soil erosion and

soil stabilization is required. Contractors have to take the state classes for soil erosion. Russell thought this was covered in state law. Mr. Anderson said that some sites with significant topography shifts, but this site is relatively flat and the silt fencing is what will be required. Sheet A51, showing the grading needed on the site.

12. 402.12 David M. questioned the generator now not being inside a building in regards to sound. Mr. Anderson said it will be contained in a sound enclosure to lessen the sound. The Board would like to have the tech specs regarding this for the next meeting.
13. 7.1.G.7 Susan asked about the support structures and they will be gray.
14. 7.1.G.9 Verizon will reword this response because they did not identify any of those sections near the site.
15. 7.1.O Susan questioned how far out they had to go for Historic Places. Mr. Anderson explained that the rings are 1/16, 1/8 and 1/4 mile from the center of the tower. That is the search area they are required to do under the National Environmental Protection App for purposes of their FCC License so that is the scope of survey consultants do for archaeological or architectural resources.
16. 7.1.P.3 Susan questioned this section and Verizon will check that the Beginning of Habitat maps are included in their reference by EDR.

Motion that the Application presented to us be accepted as complete.

By David P/Craig K 2nd. Vote 4-0

Susan said they will now set a Public Hearing date. Abutters need to be notified, a notice put in the newspaper and Russell will talk with Scott regarding the notifications. They set the Public Hearing for February 23, 2016 at 6:00 pm. David M. will not be present at that meeting. Susan said that after the Public Hearing they will start the review of the application at that meeting.

UNFINISHED BUSINESS: The Board will continue their discussion on Shoreland Lot Size. David P has a handout for the Board with the Dedham lot sizes which contained the following information.

	Lot Size Sq ft	Shore Frontage
Resource Protection	50,000	200'
GI Residential & Home Occupation	40,000	200'
G2A Mixed Use Residential or Non Residential	40,000	200'
G2B Commercial	40,000	100'
Rural Residential	63,340	200'

Set Backs: 100' except for Resource Protection

Resource Protection:

- 250' – shoreline of waters or wetland
- 100' - stream
- 100' – stream or tributary

Non-Conforming Lot:

- 100' frontage; 20,000 square ft

CEO may issue permit for accessory structure – 80 square ft, no utilities – doesn't need to meet setbacks.
Total footprint shall not exceed 20 % of lot in Shoreland zone
Septic – 100' from normal high water line or wetland edge.

Gretchen emailed everyone the last copy of the Shoreland Zone Ordinance with the edits after the last meeting. David M stated that the current task is to decide the lot size and Susan added to also decide on

the frontage. Charles N and Joan B were strong proponents for 2 acre lots because of soils, wells and septic. Charles would still prefer 2 acre lots as a safety feature, but 1 acre lots are workable. Charles would also like 200' of frontage in non-tidal areas. David P said a point was made at the last meeting by Mr. Arisimeek regarding lot size if there was public water or a community well. David P asked if there was any history on community wells in the state. Charles N will check with the state as to whether community wells can be located in the Shoreland Zone. Susan clarified that if a lot is in multiple zones, the more restrictive ordinance will rule. David P. asked if Gretchen could produce a chart showing Eddington and the State's current lot sizes and shore frontage. Denise pointed out that the minutes from the last meeting contained the above mentioned charts. Susan read from another paper that Denise had provided to the Board that contained Notes regarding setbacks and frontage that she had copied from the State's Shoreland Zone Ordinance. The Board will revisit the Shoreland Zone setbacks and frontage at the next meeting.

In regards to the Mixed Use District and the commercial building size; at the last meeting Gretchen had determined it was in the minutes of November 23, 2009 that the square footage was set at 3000 sq ft. Susan was going to check her hand written notes for that time period. Susan found that the December 2, 2009 minutes refer to the addition of 3000 sq ft and sites Section 8.02.2.1, but it was referring to the stormwater standards for 3000 sq ft of a structure and 10,000 ft of impervious and is not about the Mixed Use question. Susan continued that the Public Hearing Draft of May 2010 had the 3000 sq ft in the Use Chart. From Oct 26, 2009 Susan's notes contain a Use Chart with no mention of square footage and the minutes of that meeting state that they will do the Use Chart at the next meeting. Susan's November 4, 2009 notes indicate that because they were working from a worksheet from Renaissance, discussion did not include work on the Use Chart. Susan will look for other Draft copies of the Ordinance.

OTHER BUSINESS:

STAFF REPORTS: Charles N said that the previous minutes contain the information he had given Russell regarding the Tradewinds sign. They have darkened the flashing part of the sign so that it is not lighting up the whole area now.

PLANNING BOARD COMMENTS: David M requested that Denise send him the wording of the motion he made regarding the waiver so he can construct the letter before he leaves. The letter will be addressed to the applicant.

PUBLIC ACCESS:

ADJOURNMENT: Motion to adjourn at 7:57 pm.

By David M/Craig K 2nd. All in Favor

Respectfully Submitted,

Denise M. Knowles