

**Town of Eliot
REGULAR PLANNING BOARD MEETING MINUTES**

January 25, 2011 7PM

ITEM 1 - ROLL CALL

Present: Present: Steve Beckert – Chairman, Jeff Duncan – Vice Chairman,
Dennis Lentz, Larry Bouchard – Alternate and Greg Whalen – Alternate.

Absent: Chris Place

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 - REVIEW AND APPROVE MINUTES AND INVOICES AS NEEDED

MOTION:

Jeff Duncan made the motion to approve the minutes of the December 21st, 2010
Planning Board meeting, as amended.

Dennis Lentz seconded the motion.

Vote: 4-0, Chair concurs.

ITEM 5 - REVIEW OF "NOTICE OF DECISION" LETTERS, AS NEEDED

None.

**ITEM 6 - PUBLIC APPLICATIONS OR PLANNING BOARD BUSINESS TO BE
CONSIDERED**

- A Public hearing and continued review of an application for a home business permit to establish a craft shop at 148 Leach Rd. selling hand made craft items. Applicant/owner is Cathy Stacy (mailing address: 148 Leach Rd., Eliot, ME 03903). Property can be identified as Map 7/Lot 1. (PB10-21)**

Cathy Stacy, applicant, stated that she was proposing to establish a home business selling handmade craft items such as wooden painted items and jewelry.

Steve Beckert explained the rules of a public hearing.

Public hearing opened.

No comments.

Public hearing closed.

Steve Beckert asked the Board if they had any additional questions and comments for the applicant.

The Board had no additional questions or comments for the applicant.

MOTION:

Jeff Duncan made the motion to approve the application as submitted subject to the following conditions of approval:

1. The property may be developed and used only in accordance with the plans, documents, materials submitted, and representations of the applicant made to the Planning Board. All elements and features of the use as presented to the Planning Board are conditions of approval and no changes in any of those elements or features are permitted unless such changes are first submitted to and approved by the Eliot Planning Board.
2. This permit is approved on the basis of information provided by the applicant in the record regarding his ownership of the property and boundary location. The applicant has the burden of ensuring that he has a legal right to use the property and that he is measuring required setbacks from the legal boundary lines of the lot. The approval of this permit in no way relieves the applicant of this burden. Nor does this permit approval constitute a resolution in favor of the applicant of any issues regarding the property boundaries, ownership, or similar title issues. The permit holder would be well advised to resolve any such title problems before expending money in reliance on this permit.
3. The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.

Dennis Lentz seconded the motion.

Vote: 4-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

B. Public hearing - “Amendments to Chapter 1, General Provisions, Chapter 33, Planning and Development, and Chapter 44, Shoreland Zoning, and Chapter 45, Zoning” of the Municipal Code of Ordinances of the Town of Eliot, Maine, to regulate medical marijuana dispensaries.”

Public hearing opened.

No comments.

Public hearing closed.

Steve Beckert stated that the Board had been working on this ordinance for quite a while and that he believed the ordinance was as close to perfect as it could get. He stated that he believed the ordinance addressed all of the issues that had

been brought up along the way. He asked if the Board had any final comments or changes.

The Board had no additional comments or changes and agreed by consensus to forward the ordinance along to the Board of Selectmen for inclusion of a future warrant.

ITEM 7 - ACTION ITEM LIST

None.

ITEM 8 – CORRESPONDENCE, OTHER AS NEEDED

Dwight Snow stated that the Business Development Committee would meet tomorrow, January 26th. He also asked if Kate Pelletier would send him an electronic version of the building height ordinance so that he could post it on EliotOnline.

Kate Pelletier stated that she would post the proposed ordinance on the town’s website and then send Dwight the link to post on EliotOnline.

Jeff Duncan reminded the Board of the February 24th workshop on low impact development put on by the Mt. A to the Sea initiative.

ITEM 9 - SET AGENDA AND DATE FOR NEXT MEETING

Kate Pelletier stated that she would be on vacation until March 4th and asked the Board if they wanted to reschedule the March 1st meeting.

The Board agreed to schedule the March meetings for the 8th and the 22nd.

The next regularly scheduled Planning Board meeting was scheduled for February 1st, 2011.

ITEM 10 – ADJOURN

MOTION:

Jeff Duncan made the motion to adjourn at 7:35 PM.

Greg Whalen seconded the motion.

Vote: 4-0, Chair concurs.

Stephen Beckert, Chairman

Date approved: _____

Respectfully submitted,

Kate Pelletier, Recording Secretary