

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

March 8th, 2011 7PM

ITEM 1 - ROLL CALL

Present: Present: Steve Beckert – Chairman, Jeff Duncan – Vice Chairman, Dwight Snow, Chris Place, Dennis Lentz, and Larry Bouchard – Alternate.

Absent: Greg Whalen – Alternate

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 February 1st, 2011 Planning Board meeting, as written.

Chris Place 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. 10-minute public input session

Public input session opened.

No comments.

Public input session closed.

B. Public hearing – and continued review of an application for a conditional use permit to establish a day nursery at 1274 State Rd. Applicant is Rev. Michael Stephens (mailing address is 1274 State Rd., Eliot, ME 03903). Owner is Seacoast Baptist Church (mailing address: 1274 State Rd., Eliot, ME 03903). Property can be identified as map 15/Lot 13. (PB11-1)

Dennis Lentz and Jeff Duncan recused themselves from the review of this application due to their absence from the last meeting at which it was reviewed. Steve Beckert appointed Larry Bouchard as a voting member for this application.

Steve Beckert explained the rules of a public hearing.

Public hearing opened.

No comments.

Public hearing closed.

Steve Beckert stated that the applicant appeared to have addressed any and all outstanding issues. He asked if the Board had any additional comments or questions for the applicant.

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

MOTION:

Dwight Snow made the motion to approve the application, as presented, 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.
4. All previous conditions of approval shall apply.

Chris Place seconded the motion.

Vote: 3-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

Rev. Michael Stephens stated that he was concerned about the last condition of approval and that he thought the Board had limited the previous approval to a 12 student maximum for the school.

Kate Pelletier stated that the 12 student limit was a finding of fact and not a condition of approval so that would not apply to the new use.

The Board agreed.

- C. Public hearing – and continued review of an application for a Shoreland zoning permit to expand a nonconforming single family home at 8 Woodbine Ave. in accordance with Sec. 44-32(c). Applicant/owner is Charles LeCompte (mailing address: 8 Woodbine Ave., Eliot, ME 03908). Property can be identified as map 1/Lot 151.(PB11-2)**

Public hearing opened.

No comments.

Public hearing closed.

Dennis Lentz asked what the total height of the structure would be.

Jim Higgins, architect, stated that the roof would be raised about 18” above the existing ridge line. The total height of the structure would be just under 21’ at its highest point.

Dennis Lentz and Jeff Duncan recused themselves from the review of this application due to their absence from the last meeting at which it was reviewed. Steve Beckert appointed Larry Bouchard as a voting member for this application.

Steve Beckert stated that the plans appear to meet the Shoreland setback to the greatest practical extent as well as the requirements of Sec. 44-32. He asked if the Board had any additional questions for the applicant.

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

MOTION:

Dwight Snow made the motion to approve the application for a Shoreland zoning permit, as presented, 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.

Chris Place seconded the motion.

Vote: 3-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

D. Review proposed open space subdivision revisions and comments from JT Lockman of Southern Maine Regional Planning Commission.

Steve Beckert stated that the Board should have the most recent draft #3 of the open space subdivision ordinance, as well as a memo from JT Lockman dated February 4th, 2011 answering some questions the Board had. At the last meeting the Board had requested examples of how the ordinance would be applied to a 20 or 50-acre parcel and details on the critical rural overlay map.

Jeff Duncan stated that JT's memo answered any outstanding questions he had and that he had no additional questions or concerns.

The Board agreed.

Kate Pelletier asked if the Board intended for this amendment to be on the town meeting warrant for June. If so, the deadline to submit amendments to the Selectmen is March 24th, according to Dan Blanchette. She stated that the Board could schedule the public hearing for their next meeting on March 22nd and get the amendment to the Selectmen in time.

The Board agreed to schedule the public hearing for March 22nd.

Jeff Duncan asked Kate Pelletier to email him the most current draft of the amendment.

ITEM 7 - ACTION ITEM LIST

Steve Beckert stated that the Board needed to start writing their annual report for the town book.

Kate Pelletier stated that she would use the report from last year as a starting point and update the numbers for Steve.

ITEM 8 – CORRESPONDENCE, OTHER AS NEEDED

Steve Beckert stated that the Budget Committee had requested the Planning Board's attendance at their March 17th meeting to discuss the 2011/2012 budget.

He stated that he would be attending and would appreciate anyone else who was available that night to attend.

Steve Beckert stated that the Maine Municipal Association had published their 2011 schedule of Planning Board/Board of Appeals workshops and that there was one coming up on March 23rd in Augusta if anyone was interested in attending.

Jeff Duncan stated that he attended the Mt. A to the Sea low impact development workshop on February 24th. He explained that it was a pilot presentation for people familiar with low impact development. The idea is to make the program available to local Planning Boards, Boards of Appeals, etc. They talk about different ways to reduce stormwater runoff, how to promote retention and infiltration, etc. He stated that once they get to a point where they feel comfortable he would be in favor of inviting them to give a presentation.

The Board agreed.

ITEM 9 - SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board meeting was scheduled for March 22nd, 2011.

ITEM 10 – ADJOURN

MOTION:

Jeff Duncan made the motion to adjourn at 7:40 PM.

Chris Place seconded the motion.

Vote: 4-0, Chair concurs.

Stephen Beckert, Chairman

Date approved: _____

Respectfully submitted,

Kate Pelletier, Recording Secretary