

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

December 6th, 2011 7PM

ITEM 1 - ROLL CALL

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

Absent: Larry Bouchard

Steve Beckert appointed Greg Whalen as a voting member for this meeting.

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 - REVIEW AND APPROVE MINUTES AND INVOICES AS NEEDED

MINUTES:

Jeff Duncan made the motion to approve the minutes of the August 16th, 2011
Planning Board meeting, as amended.

Dennis Lentz seconded the motion.

Vote: 3-0, Chair concurs.

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

There were no Notice of Decision letters to review.

**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. Continued review of an application for Site Plan Review to construct
a 68-room hotel at the Eliot Commons. Owner/applicant is Sea Dog
Realty, LLC (mailing address: 86 Newbury St., Portland, ME 04101).
Property can be identified as Map 29/Lot 27 and is located in the C/I
zoning district. (PB11-20)**

Ed Brake of Attar Engineering represented the applicant. He stated that the
Board had some concerns about traffic which were raised at the last Planning
Board meeting in November. He stated that he submitted a trip generation report

from Eaton Traffic Engineers, which finds that none of the peak hour estimates equal or exceed 100 trips and as such, a traffic movement permit is not required.

Jeff Duncan stated that the letter indicates that current peak loads from the existing businesses in the Eliot Commons were not factored in when calculating the estimated traffic generated by the new development and asked why that was excluded.

Ed Brake stated that any future development within the Eliot Commons would have to include the peak hour trips for the proposed hotel in determining whether a traffic movement permit is needed.

Dennis Lentz stated that he would be interested in knowing the cumulative effect all traffic from the Eliot Commons site would have.

Jeff Duncan agreed.

Ed Brake stated that he would find out and include something in the next submission.

Greg Whalen stated that he noticed an error on the traffic engineer's report. He stated that it appeared the trip generation report was based on a 60-room hotel and not a 68-room hotel, which is what the applicant has applied for. He asked the applicant to confirm that the calculations were based on the correct number. He also suggested that a third party independently review and verify the trip generation numbers.

Kate Pelletier stated that in the past the Planning Board has imposed conditions of approval that require the applicant obtain written confirmation from MDOT that a traffic movement permit either is or isn't needed. This prevents the applicant being delayed in their municipal approvals.

Ed Brake continued his presentation stating that the force main and pump station maintenance agreement had been revised and expanded and that once it's approved by the Sewer Committee and Board of Selectmen, the agreement would be provided to the Planning Board. He stated that the location of the existing sewer line had been added to the site and grading plans and the reference to subsurface wastewater disposal system has been removed as the project will only be served by a private pump station on site and the Kittery Sewer Department. He stated that if it were necessary to drain the hotel pool, the water would be drained to the sewer with permission from the Kittery Sewer Department, or it will be pumped from the pool and disposed of appropriately. He stated that he didn't anticipate needing to drain the pool more than once every ten years when resurfacing and retiling are needed.

Greg Whalen suggested that the force main and pump station agreement signed by Mr. Forsley should be recorded at the Registry of Deeds.

The Planning Board agreed.

Ed Brake stated that he received input from the Conservation Commission and provided a written response to those comments, which were included in the most recent submission to the Board.

Greg Whalen asked if a planting plan would be provided.

Ed Brake stated that he would provide a planting plan for the next meeting.

Greg Whalen, referring to the applicant's response to the Conservation Commission comments, asked who would make the final determination of the water table depth.

Steve Beckert stated that MDEP would make the final determination.

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

MOTION:

Jeff Duncan made the motion to approve the sketch plan and move to a public hearing on December 20th subject to the applicant submitting all required information at least 10 days prior to that meeting.

Dennis Lentz seconded the motion.

Vote: 3-0, Chair concurs.

C. Continued review of an application for a Request for Planning Board Action to amend a previously approved site plan by constructing a 2,800 sq. ft. building and associated parking at 11 Dixon Rd. for use by the Eliot Community Services Department. Owner/applicant is Town of Eliot (mailing address: 1333 State Rd., Eliot, ME 03903). Property can be identified as Map 21/Lot 6 and is located in the Village zoning district. (PB11-22)

Steve Beckert recused himself as Chair to present the application for the Community Services building on behalf of the Eliot Building Committee. Jeff Duncan acted as Chair.

Steve Beckert stated that at the last meeting the Board had requested that all boundaries of the town's property be shown on the plan, which Ed Brake of Attar Engineering prepared and submitted to the Board. He stated that Kate Pelletier provided the abutter's list and that he believed all requirements of a sketch plan had been met.

Jeff Duncan stated that the former property line boundary is not shown in the legend and asked that it be added to the final plan.

Dennis Lentz stated that note #1 on the site plan says, *"This plan provides the site plan for the development of Tax Map 21 Lot 6. The parcel to be developed is*

approximately 21.1 acres in area.” He stated that the language makes it sound like an area of 21.1 acres is going to be developed. He suggested the following alternative: *“The property to be developed is approximately 21.1 acres.”*

The Planning Board agreed.

Jeff Duncan asked if the Board had any additional questions or comments for the applicant.

The Board had no additional questions for the applicant.

MOTION:

Greg Whalen made the motion to approve the sketch plan.

Dennis Lentz seconded the motion.

Vote: 2-0, acting Chair concurs.

Steve Beckert resumed as Chairman.

D. Application for Site Plan Review to establish a wholesale firewood sales operation on H.L. Dow Highway. Owner/Applicant is AMP Realty (mailing address: 297 H.L Dow Highway, Eliot, ME 03903). Property can be identified as Map 37/Lot 20 and is located in the C/I zoning district. (PB11-23)

Tom Harmon of Civil Consultants represented the applicant. He stated that the applicant is proposing a wholesale firewood operation. The business will be involved in the processing and loading of firewood for distribution to customers.

Jeff Duncan asked if any sales would take place on the lot.

Tom Harmon stated that customers would not be permitted onsite. The firewood will be stored and processed onsite and then transshipped to customers using the fleet of vehicles from Northern Pool & Spa. He stated that Peter Paul, who owns Northern Pool & Spa will operate the firewood business as well and plans to staff the facility with seasonal employees from the other business.

Greg Whalen asked if the property was leased.

Tom Harmon stated that the property is owned in fee by Mr. Paul and was purchase in January 2010.

Kate Pelletier stated that there were some old ordinance references on the application and asked that they be updated to reflect the proper sections.

Jeff Duncan asked if any additional clearing of the site was proposed.

Peter Paul stated that he didn't have any plans to alter the site at all at least until the sewer line is extended.

Steve Beckert asked if the Board had any additional questions and if they were ready to approve the sketch plan.

The Board had no additional questions for the applicant.

MOTION:

Jeff Duncan made the motion to approve the sketch plan and schedule the public hearing for December 20th, 2011.

Greg Whalen seconded the motion.

Vote: 3-0, Chair concurs.

ITEM 7 - ACTION ITEM LIST

ITEM 8 – CORRESPONDENCE, OTHER AS NEEDED

ITEM 9 - SET AGENDA AND DATE FOR NEXT MEETNG

The next regular Planning Board meeting was scheduled for December 20th, 2011.

ITEM 10 – ADJOURN

MOTION:

Jeff Duncan made the motion to adjourn at 8:05 PM.

Greg Whalen seconded the motion.

Vote: 3-0, Chair concurs.

Stephen Beckert, Chairman

Date approved: _____

Respectfully submitted,

Kate Pelletier, Recording Secretary