

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

February 5th, 2013 7:00 PM

ITEM 1 - ROLL CALL

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

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 - REVIEW AND APPROVE MINUTES AND INVOICES AS NEEDED

MOTION:

Dennis Lentz made the motion to approve the minutes of the September 18th, 2012 Planning Board meeting, as written.

Larry Bouchard seconded the motion.

Vote: 4-0, Chair concurs.

MOTION:

Jeff Duncan made the motion to approve the minutes of the October 2nd, 2012 Planning Board meeting, as written.

Dennis Lentz seconded the motion.

Vote: 3-0 (Greg Whalen abstained due to his absence from the October 2nd meeting), Chair concurs.

MOTION:

Greg Whalen made the motion to approve the minutes of the October 16th, 2012 Planning Board meeting, as written.

Dennis Lentz seconded the motion.

Vote: 4-0, Chair concurs.

MOTION

Greg Whalen made the motion to approve the minutes of the November 20th, 2012 Planning Board meeting, as written.

Dennis Lentz seconded the motion.

Vote: 3-0 (Larry Bouchard abstained due to his absence from the November 20th meeting), Chair concurs.

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

There were no 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. Request for Planning Board action to amend a previously approved Conditional Use permit (PB08-3) by establishing a business that manufactures and installs marine hardware and provides boat storage at 6 Julie Lane. Applicant is Noell Redman (mailing address: 6 Julie Ln., Eliot, ME 03903). Owner is Donna McGarry (mailing address: 11 Badger's Island West, Kittery, ME 03904). Property can be identified as Map 37/Lot 3 and is located in the Commercial/Industrial zoning district.(PB13-2)

Steve Beckert stated that the applicant, Noell Redman, requested postponing review of his application until the February 19th meeting.

The Board had no objections to postponing review of the application until February 19th.

C. Review Draft #1 of a proposed ordinance amendment entitled "Amendments to Chapter 44 (Shoreland Zoning) and Chapter 45 (Zoning) of the Municipal Code of Ordinances of the Town of Eliot, Maine to streamline and consolidate procedures for making an appeal."

Kate Pelletier explained the amendment to streamline and consolidate procedures for making appeals was initiated following David & Mary Fournier's appeal of the Central Maine Power site plan approval. At that time, it was discovered that the procedure for making appeals was slightly different between the Zoning and Shoreland Zoning chapters and the Board of Selectmen asked the Planning Board to look into the matter. She explained that she removed the entire section of the Shoreland chapter that pertained to the procedure for making an appeal and referred the reader to the established procedures already contained in Chapter 45 (Zoning). She stated that the Board did something similar with public hearing notification procedures several years ago by consolidating the notification procedures into one place.

Steve Beckert suggested the Board take some time to familiarize themselves with the draft and to be prepared to discuss it at the next meeting.

Review Draft #1 of a proposed ordinance amendment entitled, "Amendments to Chapter 44 (Shoreland Zoning) of the Municipal Code of Ordinances of the Town of Eliot, Maine to repeal municipal timber harvesting provisions in the Shoreland zone per L.D. 1739, An Act to Change Regulation of Forestry Activities (Public Law 2011, Chapter 599)."

Steve Beckert asked Kate Pelletier to explain the basis for this amendment.

Kate Pelletier explained that the Maine Legislature recently enacted law adopting statewide standards for Timber Harvesting and related activities in the Shoreland zone. Beginning January 1, 2013, the Maine Forest Service took over enforcement and administration of all timber harvesting standards and activities in the Shoreland zone. As such, Eliot will now need to amend Chapter 44. She stated that when the Shoreland Zoning chapter was amended in 2009, JT Lockman of SMRPC included language (Sec. 44-5) pertaining to the automatic repeal of the timber harvesting standards knowing that these statewide standards would be forthcoming. He included directions for changing the permitting authority from the Eliot Code Enforcement Officer to the Maine Bureau of Forestry in the Table of Land Uses, eliminating the timber harvesting standards contained in Sec. 44-35(o), and repealing the definitions of 'Harvest area', 'Residual area', and 'Residual stand.' She suggested that since she just provided the draft today that the Board take it home and familiarize themselves with it and that it could be taken up again at the Board's next meeting.

The Board agreed to discuss Draft #1 of the repeal of Timber Harvesting standards at their next meeting.

ITEM 7 - ACTION ITEM LIST

None.

ITEM 8 – CORRESPONDENCE, OTHER AS NEEDED

None.

ITEM 9 - SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board meeting was scheduled for February 19th, 2013.

ITEM 10 – ADJOURN

MOTION:

Greg Whalen made the motion to adjourn at 7:25 PM.

Larry Bouchard seconded the motion.

Vote: 4-0, Chair concurs.

Stephen Beckert, Chairman

Date approved: _____

Respectfully submitted,

Kate Pelletier, Recording Secretary