

ITEM 1 - ROLL CALL

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

Absent: Dennis Lentz.

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 - REVIEW AND APPROVE MINUTES AND INVOICES AS NEEDED

There were no minutes to review.

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. Public hearing – and continued review of a 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 Planning Board conducted a site walk of the property immediately before tonight's meeting and that no major issues were identified. He asked the applicant to give a brief overview of his application.

Noell Redman, applicant, stated that he operates a business that manufactures and installs marine hardware and provides storage for boats. He stated that he focuses primarily on custom, precision fabrication of hard tops, T-tops, tuna towers, radar arches and other custom work like rod racks and engine brackets for fishing boats, commercial vessels and recreational boats using mostly anodized aluminum or fiberglass.

Steve Beckert explained the rules of a public hearing.

Public hearing opened.

No comments.

Public hearing closed.

Greg Whalen stated that the Board had received a memo from the Fire Chief indicating that there were some outstanding conditions of approval that were not met when this property received approval for another use in 2001, which he read as follows:

1. *All buildings must be fitted with a manual fire alarm and automatic fire detection system.*
2. *The fire alarm system must be monitored on and off the premises 24 hours per day.*
3. *A Knox box system must be installed for emergency entry to the premises.*
4. *An up to date MSDS file system is available and located in an agreed position.*
5. *The eastern, northern, and western sides of the building be maintained at all times, including winter snow removal, for emergency vehicle access.*
6. *State Fire Marshall review of the commercial building.*

Steve Beckert stated that it appeared the issue about having access to three sides of the building had been resolved per the Fire Chief. He asked if the Planning Board agreed.

The Planning Board agreed by consensus.

Noell Redman stated that he was under the impression the building didn't require Fire Marshall review any longer because it's under 3,000 sq. ft.

The Planning Board requested something in writing from either the Eliot Fire Chief or State Fire Marshall's office indicating whether the building should be reviewed by the State or not.

Noell Redman agreed to provide something in writing.

Steve Beckert asked the Board if they were ready to take final action on the application or if they wanted to wait until written input is received from the Fire Marshall/Fire Chief.

MOTION:

Jeff Duncan made the motion to table review of the application until April 16th or such time the applicant can provide a letter from the State Fire Marshall and/or Eliot Fire Chief as to whether the building still requires State Fire Marshall review or not.

Larry Bouchard seconded the motion.

Vote: 3-0, Chair concurs.

C. Public hearing – and continued review of an application to establish an online home business selling used clothing at 375 Main St. Applicant/owner is Monika Sanguinetti (mailing address: 375 Main St., Eliot, ME 03903.). Property can be identified as Map 1/Lot 77 and is located in the Village zoning district. (PB13-3)

Monika Sanguinetti, applicant, explained that she would like to operate an online consignment shop selling gently used men's, women's and children's clothing.

Steve Beckert explained the rules of a public hearing.

Public hearing opened.

No comments.

Public hearing closed.

Larry Bouchard asked if the items for sale will be stored at the applicant's home and if so, how they get there.

Monika Sanguinetti explained that any items to be consigned are mailed to her by the seller and stored at her home until such time the item sells. Once an item sells, she mails it to the buyer.

Jeff Duncan asked how large the house was.

Monika Sanguinetti stated that it was approximately 1,400 sq. ft.

Steve Beckert asked if the Board had any other questions for the applicant or wanted any additional information from her.

The Board had no additional comments or questions of 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.

Greg Whalen seconded the motion.

Vote: 3-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

D. Public hearing – and continued review of an application for Site Plan Review to establish a school at 403 H.L. Dow Highway. Applicant/owner is Seacoast Waldorf

Association (mailing address: c/o Ambit Engineering, 200 Griffin Road, Unit 3, Portsmouth, NH 03801). Property can be identified as Map 45/Lot 4 and is located in the Commercial/Industrial zoning district. (PB13-4).

John Chagnon of Ambit Engineering represented the applicant. He stated that since the last meeting he provided an email from Maine DOT indicating that the existing entrance permit on file is sufficient for the new use, which was something the Board had requested.

Steve Beckert asked the applicant to give a brief overview of the proposed use before he opened the public hearing.

John Chagnon stated that Seacoast Waldorf Association/Tidewater School is proposing to move their Waldorf school to the site at 403 H.L. Dow Highway. This will be a re-use of the existing building, which was previously a day care and no changes are proposed to the exterior of the building or to the site itself with the exception of adding some structured play elements to the existing play area space. An existing double-sided sign located at the entrance will be reused. He stated that they are requesting approval for up to 54 students and 9 employees. He stated that an existing 3-bedroom apartment on the second story would continue to be used as a rental dwelling unit.

Steve Beckert explained the rules of a public hearing.

Public hearing opened.

Deirdre McEachern, Chair of the Tidewater School Board of Directors stated that she just wanted to thank everyone at the Town Hall who had assisted Tidewater through this approval process.

Public hearing closed.

Steve Beckert asked if the Board had any additional comments or questions for the applicants at this point.

The Board had no additional comments or questions.

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 the premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.
4. The applicant shall comply with the requirements of the Eliot Fire Chief's February 18th, 2013th memo prior to occupancy:
 - Maintain current fire alarm system.
 - Occupancy will require full Maine State Fire Marshall review.
 - Occupancy may now be considered an educational occupancy and Fire Code may be different from the previous day care.
 - Review and permits from the Fire Marshall are required prior to occupancy.
 - Continue Knox-box access.

Greg Whalen seconded the motion.

Vote: 3-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

E. Public hearing – and continued review of a Request for Planning Board action to amend a previously approved permit by establishing a soil production and composting facility on the ARC access road. Applicant/owner is Rian Bedard of Eco-Movement (mailing address: 1 Washington St., Suite 457, Dover, NH 03820.) Property can be identified as Map 45/Lot 17 and is located in the Commercial/Industrial zoning district. (PB13-5)

Rian Bedard, applicant, explained that he is proposing to establish a composting facility on the ARC access road. He stated that his company offers free curbside pickup of food scraps and paper for residential and commercial customers in Dover, Durham, Portsmouth, Newcastle, Rye, Newington, Durham, Kittery, Kittery Point and Eliot. He stated that the customer is provided a clean bin and liner to put their organic materials in with every pick-up. Once the organic material is collected, it's brought back to the facility where it's dumped and mixed on a 40' x 100' canopied concrete pad with four 25' x 40' bays constructed from concrete blocks. He explained that the typical composting process usually takes about 9-12 months but they will use an accelerated process where oxygen is forced into piles of organic material covered by special covers designed to hold in heat and moisture and reduce odors by up to 60%. This method will reduce the total time to just six-eight weeks.

Steve Beckert explained the rules of a public hearing.

Public hearing opened.

No comments.

Public hearing closed.

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 and 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. Copies of approved permits from the Maine DEP and the US Army Corps of Engineers (if applicable) shall be provided to the CEO before construction on this project may begin.
 3. 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.
 4. The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.

Larry Bouchard seconded the motion.

Vote: 3-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

ITEM 8 - ACTION ITEM LIST

ITEM 9 – CORRESPONDENCE, OTHER AS NEEDED

ITEM 10 - SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board meeting was scheduled for April 16th, 2013.

ITEM 10 – ADJOURN

MOTION:

Jeff Duncan made the motion to adjourn at 7:50 PM.

Greg Whalen seconded the motion.

Vote: 3-0, Chair concurs.



Stephen Beckert, Chairman
Date approved: 10/1/13

Respectfully submitted,



Kate Pelletier, Recording Secretary