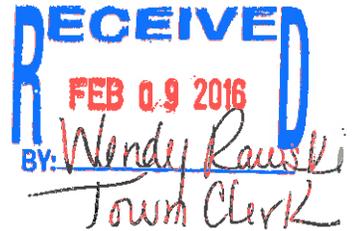


ITEM 1 - ROLL CALL

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

Also present: Kate Pelletier, Planning Assistant



ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 – REVIEW AND APPROVE MINUTES, AS NEEDED

MOTION:

Jeff Duncan made the motion to approve the minutes of the November 5, 2013 minutes, as written.

Dennis Lentz seconded the motion.

VOTE: 4-0, Chair concurs.

ITEM 5 – REVIEW “NOTICE OF DECISION” LETTERS, AS NEEDED

None.

ITEM 6 – PUBLIC APPLICATIONS OR PLANNING BOARD BUSINESS TO BE CONSIDERED

- A. Public hearing - Application for a Shoreland Zoning Permit to construct a 6' x 10' fixed residential pier, 3' x 35' gangway, and 10' x 20' float system at 23 Alden Lane. Applicant/owner is: Barry Drew (mailing address: 23 Alden Lane, Eliot, ME 03903). Property can be identified as Map 1/Lot 35 and is located in the Village and Shoreland Limited Residential zoning districts. (PB14-16).**

Steve Beckert summarized that the Board conducted a site walk of the property at 5:30 PM, just before the meeting and that no issues were raised. He explained the rules of a public hearing.

Zachary Taylor of Riverside & Pickering Marine, represented the applicant and gave a brief explanation of the applicant's proposed pier.

PUBLIC HEARING OPENED

Castania Lane, 21 Alden Ln., asked if anything about the plan had changed since the version she saw in the Planning Assistant's office.

Zachary Taylor stated that nothing had changed about the plan.

PUBLIC HEARING CLOSED

MOTION:

Dennis Lentz 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. 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 (Jeff Duncan abstained), Chair concurs.

Steve Beckert explained the 30-day appeal period to the applicant.

B. Continued review of an application for a 4-lot open space subdivision located at 93 Frost Hill Road. Applicant is Paul Swanick (mailing address: 3 Tudor Drive, Kittery, Maine 03904). Owner is: 93 Frost Hill Road Real Estate Trust (mailing address: 93 Frost Hill Road, Eliot, Maine 03903). Property can be identified as Map 75/Lot 29 and is located in the Rural District. (PB14-11)

The applicant was represented by Ken Markley of Northeasterly Surveying, Inc. Mr. Markley explained that he had submitted a preliminary plan for a 4-lot open space subdivision off Frost Hill Rd. The subdivision will consist of one existing house lot and three new lots. The total area of the parcel is about 75 acres, of which 10 will be developed. Access to the existing house lot on Frost Hill Rd. will be blocked off and all four subdivision lots will be accessed via a new 600' road, as required by the open space subdivision standards. The proposed road will be located over an existing right of way currently serving an abutting lot owned by Diana Krieger is. Any existing rights of abutters to use the right of way will be preserved. A road association will be formed

following construction and the abutter will be allowed to voluntarily join. He explained pre and post development drainage patterns.

Greg Whalen asked Kate Pelletier what the ordinance required for the remaining undeveloped land.

Kate Pelletier stated that according to Sec. 45-467, final disposition of the remaining land may be any one of the following: dedicated to the town for acceptance; deeded to a land trust, retained by the applicant, or reserved for ownership by a homeowners' association made up of the owners of the lots in the open space development.

Larry Bouchard asked Kate Pelletier if the Fire Chief had reviewed the hammerhead design for the cul-de-sac.

Kate Pelletier stated that plans had been provided to the Fire Chief but that he had not submitted his comments yet.

Steve Beckert suggested the Board act on the remaining waiver requests.

MOTION:

Jeff Duncan made the motion to waive Sec. 41-221(a)(4) (Sidewalk installation) due to the fact that this is a minor subdivision expected to produce less than 50 trips per day and is located in the Rural zoning district where 3-acre minimum lot sizes are required. The impact of clearing and constructing a sidewalk would cancel out any benefit to the property owners/general public.

Dennis Lentz seconded the motion.

VOTE: 4-0, Chair concurs.

The Board agreed to table taking any action of the request to waiver the cul-de-sac design standard until the Fire Chief provided comments.

The Board agreed to schedule the site walk for August 5th, 2014 at 5:30PM. The Board agreed to schedule the public hearing for August 5th, 2014 and the site walk for July 28th, 2014.

ITEM 7 – DISCUSS STATUS OF OUTSTANDING ACTION ITEMS

None.

ITEM 8 – CORRESPONDENCE AND PLANNING ASSISTANT, AS NEEDED

A. Draft 1: “Amendment to Chapter 29, Growth Management Ordinance.”

None.

ITEM 9 – SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board Meeting is scheduled for August 5, 2014 at 7PM.

ITEM 10 – ADJOURN

There was a motion and second to adjourn the meeting at 8:10 PM.



Steve Beckert, Chairman
Date approved: 11/18/14

Respectfully submitted,



Kate Pelletier, Recording Secretary