

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

**November 19, 2013
7:00 PM**

Present: Steve Beckert, Chair; Jeff Duncan, Vice Chair, Larry Bouchard, Dennis Lentz, and Melissa Magdziasz (alternate).

Melissa Magdziasz was appointed as a voting member for this meeting.

Absent: Greg Whalen.

Also present: Kate Pelletier, Planning Assistant.

RECEIVED
AUG 25 2014
BY: Wendy Rawski,
Town Clerk

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 June 4, 2013 regular Planning Board meeting, as written.

Larry Bouchard seconded the motion.

Vote: 4-0, Chair concurs.

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

The Board reviewed the notice of decision letters for the following applications and issued them as written:

- Garnhart – Professional Office
- XNG, Maine LLC – Natural gas compressor station

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

A. Public hearing - and continued review of a Request for Planning Board action to amend a previously approved Planning Board permit by adding incidental retail sales of up to 6 vehicles to an existing auto repair garage located at 1281 State Road. Applicant/owner is Gateway Services of Eliot (mailing address: 1281 State Rd., Eliot, ME 03903). Property can be identified as Map 15/Lot 40 and is located in the Village zoning district (PB13-14)

Steve Beckert stated the Planning Board did not have any outstanding items required from the application following the last meeting and that input had now been received from the Fire Chief, Police Chief and Code Enforcement Officer. He explained the rules of a public hearing.

Public hearing opened.

No comments

Public hearing closed.

The Board had no additional questions for the applicant.

MOTION:

Jeff Duncan made the motion to approve the application, as presented and amended, 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.

Dennis Lentz seconded the motion.

Vote: 4-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

B. Public hearing – and continued review of a Site Plan application to establish a day nursery for 8-12 children at 238 Harold L. Dow Highway. Applicant is Michelle Gahagan (mailing address: 72 Earl’s Rd., South Berwick, ME 03908). Owner is Eliot United Methodist Church (mailing address: 238 Harold L. Dow Highway, Eliot, ME 03903). Property can be identified as Map 29/Lot 14 and is located in the Suburban zoning district. (PB13-16)

Public hearing opened.

No comments

Public hearing closed.

Kate Pelletier asked if the State Fire Marshall had inspected the property yet.

Michelle Gahagan stated that the Fire Marshall would visit following the Planning Board’s approval, but that he was aware of the application and she understood she would have to comply with all State Fire Marshall requirements.

Larry Bouchard suggested compliance with State Fire Marshall requirements be a condition of approval.

The Board agreed.

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

MOTION:

Jeff Duncan 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 the premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.
4. The applicant shall demonstrate compliance with the applicable State Fire Marshall requirements (as detailed in the November 18, 2013 memo from Jay Muzeroll, Eliot Fire Chief) prior to occupancy by providing written confirmation from the Eliot Fire Chief to the Eliot Code Enforcement Officer that all requirements have been met to his satisfaction.

Larry Bouchard seconded the motion.

Vote: 4-0, Chair concurs.

Steve Beckert explained the 30-day appeal period.

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 3, 2013 at 7:00 PM.

ITEM 10 – ADJOURN

MOTION:

Dennis Lentz made the motion to adjourn at 7:35 PM.

Larry Bouchard seconded the motion.

Vote: 4-0, Chair concurs.



Stephen Beckert, Chairman
Date approved: 8-19-14

Respectfully submitted,



Kate Pelletier, Recording Secretary