

OFFICIAL MINUTES: Business Meeting
Eliot Conservation Commission
Eliot, Maine 03903

DATE: March 3, 2021
Approved April 7, 2021

OFFICERS:

Chair: Kari Moore
Vice Chair: Christina Karas
Secretary: Lynn Bubley
Treasurer: Alice Lynch

THIS MEETING WAS HELD VIRTUALLY ONLINE. THE CALL-IN INFORMATION FOR THE PUBLIC WAS PROVIDED BY the Town PRIOR TO THE START OF THE MEETING.

1. Call to Order and Roll Call via Remote Access:

The meeting was called to order with roll call at 6:30pm by Kari Moore. In attendance: Alice Lynch (Treasurer), Christina Karas (Vice Chair), Kari Moore (Chair), Lisa Wise (Member), Peter Egelston (Member), Carol Castellan (Alternate), Cyndy Camp (Member); absent: Lynn Bubley (Secretary), Doug Warrender (Alternate); Jeff Brubaker (Eliot Town Planner); Tomas Dundzila (Public)

2. Review and approve past minutes

Reviewed February draft meeting minutes; minor edits were made. Kari made a motion to approve the minutes as amended; Christina seconded; minutes were accepted unanimously with edits. Kari will submit amended notes for posting.

3. Public Input – Tom to discuss invasive species later on the agenda

4. Financial Report/Budget – Alice: No budget updates. Christina asked Alice to check if \$100 contribution from her company went through. Christina to draft thank you note.

5. Jeff Brubaker, Town Planner: Project Review, Land Bank, Open discussion

Jeff started at end of July. It's been busy with development applications and ordinance revisions. Jeff provided the following updates:

- 3/2 Planning Board meeting:
 - 445 River Road – shoreland zoning permit application (adding a sunroom to an existing house on a nonconforming lot). Jeff passed along ECC comments to the Planning Board. Permit was approved, and a number of the conditions reflect our suggestions. It's subject to the 30% expansion rule for nonconforming structures in the shoreland zone, but the sunroom is largely replacing an existing deck (actually a smaller footprint), made sure it's no closer to the river, reduced impervious surface by removing brick patio. Provided DEP's buffer zone plant list resource – the condition says 'encourage' but they do seem receptive.

- 7 McClellan – approved by Planning Board. Improvements include: adding stormwater management and trees to the buffer between 236 and the building; making some of the parking spaces pervious; and moving dumpster away from the wetland.
- Maine DOT and SMPDC wanted town feedback on a roundabout at intersection of 236 and Depot Rd. Select Board and Planning Board comments were lukewarm, not a lot of support.
- 2/16 Planning Board meeting:
 - 290 Dow – marijuana cultivation facility and retail store. This was a site plan amendment to add the cultivation facility; will have additional trees in the buffer between buildings and 236.
 - 21 Foxbrush – shoreland zoning application. Subject of an active court case. Applicant decided to reduce the footprint of proposed structure and move it away from the eastern lot line of the property, maintaining the required distance from the river.
- Upcoming applications:
 - 28-32 Brook Road – Island Seafood proposal to transition to adult use marijuana retail store and cultivation (within existing building); some site changes (e.g., parking)
 - 276 HL Dow – Black Hawk Holding, used to be the auto recycling site; currently a medical marijuana dispensary in front building, seeking approval for cultivation and manufacturing in the rear building; significant DEP and stormwater history to the site
 - 771 and 787 Main Street – subdivision application for same two parcels from previous application as well as 771
 - Kari noted keeping an eye out for habitat impacts for New England cottontail with these projects and suggested getting the habitat map on the town GIS mapper to help with review. Jeff will contact the GIS person and copy Kari.
- Other development-related questions:
 - Alice mentioned a new house being built that we haven't seen plans for on River Road, map 60 lot 23 (thinks 705). She thinks it goes down to the river and has wetlands. Jeff hasn't seen any applications for that site and will check with Shelley.
- Ordinance updates:
 - Jeff can send drafts. Planning Board public hearing 3/16, with Select Board review 3/18.
 - ECC has no comments on stormwater and graveyard ordinances.
 - Land management roads section is being updated for consistency with DEP guidelines.
 - Marijuana ordinance updates have a shoreland zoning focus. Suggested clarifying allowable marijuana uses in the limited commercial shoreland zoning district.
 - They're only allowed in the commercial industrial district. It would just clarify that testing, cultivation, and retail/medical caregiver store are allowable and manufacturing is prohibited within the limited commercial shoreland zoning district.
- 236 TIF plan – There will be some wetland impacts with putting utilities in. There was reference in the TIF plan to having wetland exchanges – Kari asked Jeff for more information about this.
 - Jeff reached out to SMPDC. They provided us with one community example (Topsham) that uses development transfer credits, which is different from wetland exchanges. It's basically an overlay zone, where developers in that zone can voluntarily participate in a purchase of

development rights type of program to get extra density for residential subdivisions or multifamily residential projects, in exchange for paying a fee to the planning department and obtaining credits. Those fees are then used for land conservation purposes. The State also has its in-lieu fee program. Kari asked if the credits are for filling in wetlands or for the development? What's the connection to the direct impact to the resource? Jeff responded that the example from SMPDC is not wetland specific.

- Kari provided additional context re: State process: First look at avoidance, then minimization, then mitigation. There's a mitigation ratio; if the applicant has a restoration site they can propose, that may be considered (and then the ratio is applied – i.e. for every x acres impacted, y acres have to be created or restored somewhere else). With the in-lieu fee program with the State, the applicant pays into the land and water conservation fund, which communities in the impacted area can then tap into for conservation-related projects.
- Jeff will keep looking and check back in with SMPDC re: 'wetland exchange' examples. Jeff shared that the utilities work could start as early as fall 2021, potentially early next year, and is tentatively scheduled to be completed by the end of 2022.
- Jeff asked for feedback from ECC re: what is beneficial in terms of wetlands in the TIF district, what would work the best, and what to avoid. Kari will send the information out to the Commission for review. We will revisit next month or send comments in the meantime.
- Land bank: ECC is working on building the land bank back up to prepare for future conservation projects. Some strategies were recommended in the Open Space Plan and the 2009 Comprehensive Plan. Do any strategies particularly stand out? Revisit the 2009 plan.
- Discussed two grant opportunities – [Piscataqua Region Environmental Planning Assessment](#) (due March 31), [SMPDC Coastal Communities grant program](#) (due April 15). Ideas for potential projects included: 1) Look at projects in the Open Space Plan; 2) Spinney Creek water quality study (Christina started looking at 319 grants – much more involved); 3) Erosion issues at Dead Duck
 - All: Review grant opportunities; Jeff recommends collecting ideas from the commission and putting together brief summaries on a few ideas. But is there time?
 - Jeff can also connect with SMPDC about any regional ideas.
- Still looking for an ECC member to regularly attend Planning Board meetings

6. Education/Outreach

Invasive Species (Tom)

- Tom drafted a factsheet on Phragmites, including a description of the plant and how to identify and control it. Factsheet could be distributed online, at the library, businesses, etc.
 - ECC members suggestions included: clarify the message on how to dispose of it; clarify message around invasive vs. native varieties; mention that it's really hard to get rid of once established – management is not a one-and-done. Need to push 'prevention' message. Tom developed a best management practices factsheet.
 - Kari will send it out for review. Alice reaching out to transfer station re: disposal.
- Ideas for future efforts include site visits at town properties and an annual 'pull the weeds' event.

Spring Clean Ups

- Carol put a post on Eliot Strong Facebook page. 5 people said they'd be interested in helping. Aiming for a weekend in late April (around Earth Day). Need to start thinking about locations and pick a few focus areas. Need to find out what the town can manage in terms of collecting the trash bags.
 - Carol asked about grabbers, but the town doesn't have any to loan out. Carol will look into pricing. ECC could consider purchasing some, though need to think about storage.
 - There was a suggestion to connect with the Police Dept. so they're aware of the cleanup. They may have some suggestions for safe locations. They also helped clean up last time. Dana and Public Works may also have ideas for locations.
 - Publicity ideas include newspaper, facebook, all the schools and churches.
 - Last time we had a meeting point, bags and gloves. Have someone volunteer to meet people at a certain place if they need bags/gloves.

Other:

- Kari reached out to Dana re: idea of ECC starting an instagram account. He has no problems with it.
- Melissa is helping us look at Dropbox or Google Drive for file storage (there's no space on the town's network). This would function for an electronic resource library and having shared documents for commenting on applications ECC is reviewing.

7. Round table

Commission Members

- Lisa shared a webinar opportunity coming up on Monday re: some volunteer resources – [link](#)
- Christina and Lisa will work on setting up Google Drive for storing files/commenting on applications

8. Next regular business meeting April 7, 2021

Focus on outreach and conservation commission objectives.

9. Alice made a motion to end the meeting, Peter seconded. All in favor. Meeting is adjourned at 8:04 PM.

Respectfully submitted,

Lisa Wise

ECC Member (filling in for Lynn Bubley, Secretary)

CC: Eliot Town Clerk, Commission Members, Commission File