

ITEM 1 - ROLL CALL

Present: Dennis Lentz - Chairman, Larry Bouchard, Ed Cieleszko, Christine Bennett, and Melissa Horner – Alternate.

Also Present: Emily Cole-Prescott, Town Planner.

Absent: Casey Snyder, Alternate (excused).

Voting members: Dennis Lentz, Larry Bouchard, Ed Cieleszko, Christine Bennett, and Melissa Horner – Alternate.

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 – 10-MINUTE PUBLIC INPUT SESSION

There was no public input.

ITEM 5 – REVIEW AND APPROVE MINUTES

Ms. Bennett moved, second by Mr. Cieleszko, to approve the minutes of June 5, 2018, as amended.

VOTE

4-0-1 (Bouchard abstained)

Chair concurs

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

A. 403 Harold L. Dow Highway (Map 45/Lot 4); PB18-7: Request to amend previously-approved site plan to install a 491 square-foot yurt in rear of property.

Received: June 5, 2018

1st Heard: June 19, 2018

Public Hearing: N/A

2nd Hearing: N/A

Site Walk: N/A

Approval: June 19, 2018

Ms. Dierdre McEachern, School Director, and Ms. Jacqui Boyko, applicant, were present for this application.

Ms. Boyko described the property using the site plan. It was pointed out that the 'proposed' structure on the site plan is an approved and built structure and that this will

be corrected by the applicant. There will be a yurt placed on the rear of the property and the swing set will be re-located.

Mr. Lentz asked if anything had changed on the site since they were last before the PB.

Ms. Boyko said no.

Mr. Bouchard asked if this did anything to the parking.

Ms. McEachern said no; that the yurt would be just used for the faculty space, meetings, planning; that it's like an overflow of space for the school. She added that there would be no change in the number of students or faculty.

Mr. Bouchard asked about square footage.

Ms. McEachern said that it was 491 square feet and 25 feet in diameter.

Mr. Cieleuszko said that our first question is whether we can deal with this as an amendment to the existing plan and, then, on it's merits, whether it's acceptable or not.

Mr. Lentz clarified that it is an amendment to the existing plan; that the question is whether it is a minor or major change, which will make a difference on where we go afterwards; that if it's a minor change, we could approve it this evening.

Mr. Cieleuszko said that he was assuming it was a minor change and that we would approve, or disapprove, tonight. He added that, if we're going to continue on with it, though, he needs to know how close are we to lot coverage for Commercial/Industrial; that he thought it was a total of 50%.

The applicant did not have that information with her. After further discussion, it was determined that it would need to be added to the site plan. The applicant agreed to add that to the plan.

The Town Planner said, referring to the July 2016 approval/site plan, that the existing lot size is 225,395 square feet (5.17 acres), lot coverage at that time was 6.4%, with impervious surface roof area at 14,521 square feet; that that included the 8,444-square-foot wood frame building and the 'proposed' 6,077-square-foot building.

It was determined that the paving was not included and a new total added would be necessary for the record.

Ms. Bennett asked the applicant to, again, describe what they would use this structure for.

Ms. McEachern said that we know we need more classroom space inside the buildings because we're using space for storage and meeting rooms so we are basically kicking people out of those spaces to turn them into classrooms.

Ms. Boyko said that the yurt would be used for faculty – lunch area, storage, meetings.

Ms. Bennett asked what period of the day this structure would be used.

Ms. Boyko said during school hours.

Ms. Bennett asked if there would be any sleepovers.

Ms. Boyko said no.

Mr. Cieleuszko asked about the wood stove.

Ms. Boyko said that it's actually not a wood stove; that it's going to be a Rinnai heater.

The Town Planner said that that's another thing we could ask the applicant to correct on the plan.

Ms. Boyko agreed, saying that that was on the yurt plan the company gave her, which she thinks is their standard blueprint.

Mr. (Jay) Meyer, Odiorne Lane, said that he was curious if the PB might consider the yurt, or how you do consider a yurt, a temporary building or a permanent structure.

Mr. Lentz said that that was a good question; that he didn't see it as something you would take up and down very quickly.

Ms. Bennett said that she thought about that while she was reading the packet; that because the applicant is going to be doing cement piers into the ground, to her seems like a permanent structure.

Ms. Horner asked what the definition of permanent was, as a yurt falls into the temporary category, to her.

Mr. Cieleuszko said that, regarding temporary structures in our ordinances, there is very little application for a temporary structure. He added that, if you build a shed and put it on the ground, it's a permanent structure. He said that that didn't even come to mind for him because, in the ordinance, it is a structure that has to meet the requirements of the code.

Mr. Lentz said that he thinks we need to consider that as a permanent structure.

The Town Planner said that, regarding this application, under Chapter 33 Site Plan Review, §33-140 requires that everything on the site be done in accordance with the plan submitted to the PB; so, whether that structure is temporary or permanent, when you approve that plan it has to be done according to the plan you approve or the applicant has to come back to get approval to move the location of the structure on-site. She added that, even though it was minor, she asked that the re-located swing set be shown so that it would be clear that nothing would be changing from that site plan.

Mr. Bouchard asked if the applicant could clarify what a yurt is, the structure, etc., as the plans are somewhat confusing.

Ms. McEachern said that a yurt is a canvas structure with wood lattice all the way around the walls; that they are 6-foot walls and, then, there are timbers that reach up to a peak in the center; that there is a layer of insulation, as well.

Ms. Boyko added that there are two doors and two windows, as well.

Mr. Bouchard said that, in reading the Fire Chief's comments, he said nothing about a stove in the building.

The Town Planner said that he did receive all the plans, though, and he had no comment on that.

Mr. Bouchard asked about bathrooms.

Ms. McEachern said that there were no bathrooms.

Mr. Bouchard said that the only problem he has is that the yurt is plopped on a map; that there are no dimensions or locations, at all; that it needs to have dimensions and locations from the borders and buildings on the plan.

The Town Planner clarified for the applicant that these are the distances we measured out in the office; that you need to show it to the side property line, show it to the buildings, and show how you meet the dimensional standards to the building; that your engineer could add that to the plan.

The applicant agreed.

Mr. (Robert) Fisher said that no matter what you do with these, the State of Maine doesn't consider call them permanent because they can be taken down overnight and put back the next day.

Mr. Lentz asked for the pleasure of the PB.

Mr. Cielezsko moved, second by Mr. Bouchard, that the Planning Board accept the application for a minor amendment to an existing plot plan on PB18-7 for the Seacoast Waldorf School with the following conditions of approval:

- 1. The property may be developed and used only in accordance with the plans, documents, material 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. Copies of approved permits from Maine DEP, Army Corps of Engineers, if applicable, and State shall be provided to the CEO before construction on this project may begin.**
- 2. The permit is approved on the basis of information provided by the applicant in the record regarding the ownership of the property and boundary location. The applicant has the burden of ensuring that they have the legal right to use the property and that they are 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.**
- 4. The applicant will add lot coverage percentage to the plan.**
- 5. The applicant will add all setbacks and distances from other structures to the new structure on the plan.**
- 6. The applicant will change the heat source from wood stove to Rinnai heater in the construction plans.**
- 7. The applicant will change the proposed plan to represent the finished additional building.**

VOTE

5-0

The motion is approved

Mr. Lentz said that the application stands approved and there is a 30-day period from which the PB decision can be appealed by an aggrieved person or parties – move forward but move forward cautiously.

After some discussion, it was suggested that the Town Planner might do some research to clarify the temporary versus permanent structure question.

B. Discussion of Recreational Marijuana Uses (continued from 6/5/18 Planning Board meeting).

Mr. Lentz said that he started doing research on his own looking at other towns, what they're doing, and where they are in the process; that there are towns out there that are already talking to the public to get public input; they put out surveys and got responses back. He added that he's not sure where the PB wants to go with this, other than the requirements for the standards.

Ms. Horner said that we were asked two questions from the Town Manager; that they were where in Town and in what zone would the PB consider the option to allow recreational, retail, marijuana and what restrictions should be considered; that, while she realizes what product we're dealing with, it's still a retail store and she thinks, very simply, that it falls under the 'retail store' but somehow has to crossover with the marijuana restrictions; so, maybe it's not within 500 feet of the property lines, the applicant has to have a certain registration. She added that it almost has to be a hybrid of those two ordinances and she thinks it could be that simple.

Mr. Lentz asked, if it was allowed, it would be in the commercial zone.

Ms. Horner agreed only the commercial zone, because that's the marrying of both; that retail is allowed and has the site plan review for the other things. She added that she's just trying to do a real big brushstroke; that she thinks that's where the conversation should start, marry those two up, and see where it lands us.

Mr. Bouchard asked what the second question was.

Ms. Horner said that it is what other restrictions should be considered if the PB recommends establishment of Town licensing standards for marijuana establishments.

Ms. Bennett asked if we were going to be a licensing agent for this or is this a State...she's a little puzzled by that portion of the question and even whether that's something the PB should be taking up; that she feels that that falls beyond us to create licensing standards.

Ms. Horner said that they are probably going to get a license from the State, which would be a condition; that you would have to have that before you could put up shop, anyway; much like medical marijuana, the applicant must hold a current dispensary certificate from Health & Human Services; that she doesn't know the details that well but they have to jump through hoops somewhere before they land in Town.

The Town Planner said that page 2 of the memo from Bernstein Shur talks about licensing process (Section F) and local authorization.

Mr. Lentz said that the PB is also aware of a letter that came directly to us from Kristin and Hughes Pope.

The Town Planner said that if the PB thinks a survey is helpful, the Chair mentioned that there are surveys being distributed in other towns, and that would be an option.

Mr. Lenz said that he thinks the two questions we were asked, originally, we've answered; that it should strictly be in the Commercial/Industrial Zone, asking if we all agree on that.

Mr. Bouchard said if it were allowed, asking if that was for retail or just medical.

Mr. Lentz said strictly retail.

Mr. Ciesleszko said that we have medical.

Mr. Lentz said that it has to be opted-in by the Town; that if the Town accepted it and opted in to sell retail marijuana, where would we have it.

Ms. Horner said that, at the last meeting, we talked about laying some groundwork for when, and if, this happened so we weren't caught unprepared; that we're just having all these 'if' conversations right now.

Mr. Lentz said that the Town Planner pulled out a lot of the current ordinances and that is what is on that document that she handed out; that that's for medical marijuana, for the most part. He added that part of the questioning last time we talked about was, if it's 500 feet from a school, for example, for medical marijuana, why would it be any different if we accepted retail; that we would still want it 500 feet from a church, a school, etc.

Mr. Bouchard said or more.

Mr. Lentz said that he has seen what Kittery has done, and he agrees with Ms. Bennett; that they have a special committee that has a doctor on it, a member of the school board, that is their marijuana committee and they are doing all types of research, having speakers in, and things like that. He added that, in his opinion, he thinks the PB certainly has to look at the ordinances and put those requirements in there that need to be in but he doesn't think we make all the decisions for retail marijuana; that ours is the land use portion, where it gets used and what restrictions. He said that that is his opinion and he can certainly discuss it.

Mr. Ciesleszko said that he has a different take on it. He added that, in regard to pursuing ordinance changes for a retail marijuana establishment, if we are going to treat marijuana sales as a regular retail product, then the simplest thing to do is add it as another retail use and treat it as a new business; with different restrictions and, maybe, Commercial/Industrial, whatever those sets are; that we are very early in the game to be looking at it in that detail. He said that, overall, marijuana isn't just a straight retail sale and we have medical marijuana, already, in the Town; that if you have a retail establishment and a medical marijuana establishment both selling the same product, one

needs a prescription and one you can walk in and buy if you're over 20. He added that it's crazy to think you can carry both of those; that we're not looking at a normal situation, here. He said that State law already says that marijuana is legal for over 20; that anyone over 20 can carry up to six juvenile plants and give them, or sell them, to someone else.

Mr. Lentz said that it's three.

Mr. Cieleuszko said that the law is in place, whether it is amended more and more; that it is existing now, not as retail sales, but just like the local farmer's ordinance that we passed; that he doesn't think there's anything we can do but leave this as what the State has mandated with no overall market making people go to one store. He added that everybody is worried about the armed guards you'll need around a marijuana garden but, if people accept marijuana as a local thing, then you can grow it in your window box, you can grow it anywhere, all over the Town; that there won't be anyone trying to steal it from the medical marijuana place because everybody will have it; that everybody who wants it can grow it or get it from the local guy. He said that he's come to terms with it; that we don't have to do anything fast; that that's the way he sees it.

Mr. Lentz said that he agrees with a lot of what Mr. Cieleuszko just said but he thinks there's different phases to this; that somewhere you have to establish a base in the worst-case situation; that as we learn, he thinks things will change. He added that he doesn't grow his own tomatoes, he goes to Market Basket; so, he's not going to grow his own marijuana, he'll go to a retail shop; that people will do that. He asked what the rules are for a retail shop; that we can't be the policemen for the Town, as far as where all the people are growing it in their back yard and how much they have, but we can establish the rules for a retail store, at least restrictions – land use rules.

Ms. Bennett said that, in her opinion, retail sales is not just the raw material, it's also value-added products, like oils, edibles, cookies, etc.; that the Town hasn't opted in, yet, and it may never, or there could be a citizen petition, and it could be that quickly that a decision might come before us to say we want to opt in; that she thinks it's useful for us to go through the exercise of having a conversation. She added that she thinks Ms. Horner put it very simple - a consideration of what we already have existing; that we allow the marijuana dispensary in the Commercial/Industrial Zone and if you marry that over like the Venn Diagram, where do we allow retail, then that comes together as just being in the Commercial/Industrial Zone. She said that it's a limited space and, socially, she thinks it's a great solution, in her eyes, because it's a place with a lot of eyes and ears and not happening outside of sort of everyone's purview. She added that she thinks we can put something together, conduct a public hearing, and from that put forward an advisory position to the Select Board.

Mr. Cieleuszko said that there is Colorado, California; that we have places we can study what worked and what hasn't. He added that we can take this up at every meeting a little more of what we learn and bring in; that he's certainly not ready for any kind of conclusion nor a public hearing on this; that we have to present something at a public

hearing or it will be total chaos. He said that a survey sent to the public is fine, with all their ideas like, for example, code changes, but a public hearing should be something where we have some semblance of a direction.

Ms. Bennett asked if that meant we would define in greater detail what retail marijuana would be, what that would constitute.

Mr. Cieleuszko said that he didn't know.

Mr. Lentz asked Ms. Bennett to explain.

Ms. Bennett said that she was just wondering if that further detail we would provide would be edibles or not edibles, oil or not oil, and that sort of thing.

Mr. Lentz asked if it is a retail shop regardless of what they sell; that it's a cannabis product of some kind.

Ms. Bennett said that she is inclined not to go into too much detail.

Mr. Lentz agreed; at least with the first phase, let's get some basics.

Mr. Bouchard said that he has an opinion about recreational marijuana but this is a PB meeting and, if somebody says we need to be ready and have a plan in place for land use for retail marijuana, then he thinks we should and he thinks we should push towards that; that he doesn't think we should worry, as Ms. Bennett said, about what's sold there because we aren't going to have any take on that; that it's going to be whatever's approved. He added that we have to look at the worst, that they are going to sell everything and, if we did opt in, where would we want that to be.

Ms. Horner said that Ms. Bennett's idea of the Venn Diagram is where we are and that answers the questions that the Town Manager asked of us, which he can pass along to the SB; that she feels that answered at least question one of the two questions.

The Town Planner said that the PB could do a workshop meeting where they could invite the public to workshop on ideas and not in public hearing, necessarily; that you do want things a little farther along just to help lay it out; that we could do a survey similar to what's being done in other towns just to get some public input before you start on a revision.

Mr. Bouchard asked public input in what; that his problem with that is that you're going to end up with one side of the puzzle, period, and he doesn't know the way around it.

Mr. Cieleuszko suggested it might be both ends.

Mr. Bouchard said that he doesn't think it will be; that it will be people that want it so you're not going to get the other side; that it's going to be a one-sided proposal.

Ms. Horner said that that has nothing to do with land use; that her fear is that it would turn into a personal 'this is why it shouldn't be in the Commercial/Industrial Zone; that it's more like "I don't want this in my back yard because..." but that's when you can go to the polls, like you said, if there's even a vote; that she thinks the public should be involved but she's not sure how to do that because it's really just about land use. She added that, unless we're way further along and we said 'this' is what we're proposing and what do you think...

Mr. Lentz said that he thinks it's a subject that deserves its own meeting. He added that, rather than go into a meeting without some kind of a structure, he would like to go into that kind of thing with a framework that says this what we are doing, this is where we're going, don't think about this, think about that; that if we had that kind of framework, he'd be all in favor of having a meeting with the public there.

Mr. Cieleuszko said that a survey, now, with written responses - just a Town survey; that that's what other towns are doing, we can buffer it and, no matter how many letters you get, we just read them.

Mr. Bouchard asked if we have a spot on the Town website for anything like that where we can ask a question and get responses.

The Town Planner said yes; that there are options on the website to do surveys.

Mr. Bouchard agreed that a survey might be a good idea; that he agreed with Mr. Lentz that we, at some point, are going to have to do a meeting and take the information that we get and decide from there.

Mr. Lentz suggested having a workshop and put together a framework and we can list the things we want to do; a survey, if we want to do this, we want to have land use restrictions; that at least we can come up with all the ideas of what we want to do and, maybe, some of them will not be ours to do; that it may be the SB, for example, or maybe a committee. He added that he thinks we can be the stimulus to create a framework to begin.

The PB agreed.

Due to the July 4th holiday, the PB agreed to hold their administrative meeting on July 10th.

C. Discussion of Shoreland Zoning Ordinances – current Maine DEP standards (memo from E. Cole Prescott dated 6/5/18).

PowerPoint presentation overview:

The Town Planner said that it came to her attention when she went to a shoreland zoning training that the Town's Shoreland Zoning standards don't meet the 2015 Chapter 1000 guidelines and that the recommendation is that all municipalities move toward

compliance with those Chapter 1000 guidelines. She added that she also met with the Assistant Shoreland Zoning Coordinator about the application and the implications of the standards for the Town. She said that she also reached out to the Town attorney to make sure there were no issues with the ordinances that we have now; that we obviously have to hold the applicant to our ordinances but what we should be doing, also, is urging the applicant to apply State Shoreland zoning standards so that they are compliant with the State and the Town; that this could cause confusion for the applicant going through the process. She said that, with the guidelines, we can adopt the minimum but we can't be less stringent than the minimum; that the DEP has issued a list of those sections of the ordinances where we should adopt directly so she would ensure those were part of the proposal, as well. She reminded the PB that they have a copy of a working Shoreland Ordinance draft she gave to them at the last meeting for their review.

Considerations: She said that, right now, we require a 'SPR' plan review process (§33 for items in Shoreland zoning table, §43-34 requiring PB approval); that we, however, use the Shoreland Zoning Application when an applicant comes in because it makes more sense for the application and there is a separate permit application process in §44 that is slightly different from site plan; that she would like to see us use the PB approval Shoreland Zoning Application, if that is what you want to use, just to clarify that rather than defer to site plan review process, or clear it up in some method because, right now, we just have site plan review; that maybe we want to say Shoreland Zoning Application or Planning Board Review; that if we do Planning Board Review on the use table, then we could have different applications in the future.

Mr. Lentz said that the application, itself, would be geared toward Shoreland Zoning.

Considerations cont'd: The Town Planner said right; that, right now, we have the Shoreland Zoning Application but the Land Use Table in our Shoreland Zone calls out 'SPR'; that you'll see in the Chapter 1000 guidelines that 'PB' is listed in their land use table; so, that just calls out planning board, meaning planning board review and approval. She added that there are certain sections, like non-conformance in Shoreland Zone expansion of non-conforming structures, which doesn't necessarily require full site plan review but the PB has to review the location to make sure it meets the setbacks to the greatest practical extent; that that is one area where we have Shoreland Zoning application but we follow the State plan review process and we may want to clarify that. She added that, regarding the 30% expansion of a non-conforming structure in floor area or volume based on the square footage of the structure existing on January 1, 1989, the Chapter 1000 guidelines would change that a bit; that the specific impact is how the non-conforming expansion is calculated; that the structures are required to be filed with the Registry of Deeds, the structure plans that you approved, which she thinks would be an asset to the Town because, if you had someone in the future looking to expand and we don't have a file readily available, then they can just look on the Registry of Deeds; that that is something we have been making a note of on the Notices of Decision but it should be in the ordinances. She said that there are also stormwater requirements of Shoreland has a tree removal and vegetation re-growth, replanting; that a lot of that right now in our land use table would go through the CEO but we do require that replanting is

done; that if you relocate a structure, the replanting should be one-to-one; that the impact, if the proposal moves forward, is to be in compliance with the State standards, which, from a legal perspective, would definitely be beneficial and, also, when we ask the DEP for their review or guidance on something, our standards would match. She added that we don't have to adopt just the minimum guidelines; that we have a lot of information coming out of the York River Watershed Study so you could also look at some guidelines from there and amend, based on what you see as relevant to Eliot moving forward; that what she provided the PB with are just the minimum guidelines of how she would see our ordinances changing to reflect the 2015 standard. Regarding timelines, if the PB pursues this and it is passed, the DEP Commissioner has 45 days after Town Meeting to review those ordinances and make comment. She added that we should also be considering other sections when we look at ordinance revisions of where it could impact, directly and indirectly, such as adding a definition of 'footprint' in §1-2, site plan review impacts, sections in 45 that should relate back to §44 and, if any additional zones are considered, the official zoning map has to go through a separate process to be amended. She discussed the definition for 'footprint' and the impact to the 30% calculation that would be tied to that definition rather than floor area and volume; that this would put a restriction on accessory structure expansions.

Ms. Horner said that she wished that, as an example, the graphs could be in our ordinance.

The Town Planner said that, if our ordinance standards do match the State, when we go to trainings like this, then when we get these, they could go online and be very clear for our residents about how they could expand; that we're always willing to help people in the office, as well, but you will see on the website we are trying to build out a lot so that people can help themselves to some degree.

Mr. Cielezsko said that there are a lot of changes in that compared to what we have now; that he was thinking that if we try to manipulate ours to match Chapter 1000, he would consider it a mess, or it looks like it might be. He asked if she was considering just having us look at accepting Chapter 1000 in its pretty much totality and then adjust the rest of our ordinances to fit any discrepancies in dealing with Chapter 1000 as our new 44 or are we trying to manipulate ours to match.

The Town Planner said that revising §44 is the best way to go only because you maintain what voters have previously approved and you show redline changes where appropriate; so, her first draft has some of the redline changes in it and that is where she sees us going, working the document like this until we get it where we want it.

Mr. Cielezsko discussed his position regarding using Chapter 1000 instead of revising our 44; that the changes would be easier to make fit and the voters would have to vote on any change, anyhow; that everything would then fit with people going online to find information; that that would be his direction.

The Town Planner said that she understood where he was coming from; that the only thing is that we would want to tailor it to Eliot so it might be difficult to just accept Chapter 1000. She added that there will be more redline changes but the majority of the changes came in the non-conforming structure section; that a lot of the other changes, as you go through, are going to remain pretty similar to what they are; that the one thing the PB may want to take a look at, again, is the land use tables just because you're updating, anyway, and a good area to look at the definitions of uses in Chapter 45 and Chapter 44.

Ms. Bennett said that she liked taking what we have, looking at where we are out of conformance, and insert that into our ordinance; that even though there's a lot of redlining in here, a lot of it is grammar or changing the punctuation, etc. She added that, to her mind, the pieces of substance that needs to be addressed is the non-conforming structures, the measurements, the criteria, height and volume, all of that piece. She said that there is some additional language about docks and campsites that we don't have in our ordinance, and we are silent on vegetation management, which she thinks is a big piece, and you have taken verbatim from Chapter 1000 and plugged into our ordinance. She added that she thinks there's room for discussion on whether we want to consider additional zones, or not, or do we want to do some additional stream protection districts; that in her mind, it doesn't seem huge; that it's a lot of typing but not a lot of substance, necessarily.

Mr. Lentz said that he liked the idea that, with those people who are used to working with 44, it hasn't changed dramatically as far as format, etc.; that the content is what's changing a little bit. He added that he saluted what the Town Planner is doing; that he thinks that's the right way to do it.

Mr. Bouchard said that he agreed with the Town Planner that it needs to be changed in 44, not just right over to 1000, as she proposed.

Mr. Lentz asked the Town Planner if she needed anything from the PB to go forward with the modifications she is making to 44.

The Town Planner said that she would like to do staff review. She added that she did put a note in there that the Town encourages Stream Smart design, which we don't have; that the State is encouraging a lot of the culvert crossing design systems to Stream Smart and that is something she can provide at the July administrative meeting.

Ms. Bennett asked if she got any recommendations about low-impact design, including Stream Smart; that she thinks some towns have started to incorporate that guidance in this chapter.

The Town Planner said that that was something we could look at; that this is just providing the minimal and she would love to get the PB's feedback on if there's additional, especially now that we have the watershed information coming through; so,

if there are additional requirements that we would want to add, we would want to look at how those could impact residents.

Mr. Lentz asked if page numbers could be included on modifications. Regarding staff reviews, he asked if she had any kind of target date for that.

The Town Planner asked if we wanted to do staff reviews now or do we want to do one more meeting in July to get feedback on what else to add in here, if anything from other Shoreland standards, or, she can do feedback now based on Chapter 1000.

Mr. Cieleuszko said that he would like one more shot at it, especially to the changes we need in 45 – definitions to make sure everything's square; that the PB's role would be one more workshop, or one more meeting, to go over a version you can bring to the staff.

The Town Planner said that she could also get their input for the next meeting.

Ms. Horner asked if we were trying to get this done for November.

Ms. Bennett said that she would advocate for that if we keep it just to the State minimum; that if we go any further, we do that at another time.

There was further discussion of the tight timeline to get this on the ballot for November; timing of public hearing, Town Clerk deadline; Town attorney supports revision; ask DEP to review for consistency.

Mr. Lentz said that we will discuss this, again, on July 10th; meanwhile, the PB will review, the staff will review, Stream Smart information made available for the 10th.

ITEM 7 – DISCUSS STATUS OF OUTSTANDING ACTION ITEMS

There was no discussion.

ITEM 8 – CORRESPONDENCE

Letter from Kristin and Hughes Pope regarding recreational cannabis licenses in Eliot. This letter was referenced earlier in the meeting.

ITEM 9 – UPDATES FROM TOWN PLANNER & PLANNING OFFICE

A. Growth Permit Survey Results (report on progress).

The Town Planner is waiting for one more survey, that it is important for her to get staff input, so, she will have that for July 10th.

B. Planner's Ordinance Revision List for review and consideration.

Mr. Lentz suggested we go through the list and pick a few that are very high priority:

Shoreland Zoning, Dimensional Standards (high water tied to Shoreland), Job Title from Planning Assistant to Planner, where applicable; Non-Conformance (tied in with Shoreland); Ms. Horner will review definitions for State standards, clarification; Growth Permit Process.

Mr. Lentz said that he would like to get rid of Sketch Plan, altogether, and not have a Sketch Plan process.

Mr. Cieleuszko said that he didn't see that happening too quick.

Ms. Horner asked why we have that when all other towns don't.

Mr. Lentz said that he thinks the intent, originally, was so that somebody could come in with a drawing on a napkin, saying 'this' is what we want to do and asking for PB input; that we would give them all kinds ideas, they would go back and make a site plan.

Ms. Bennett said that it might have harkened back to when we didn't have the staff that could then talk to the applicant.

Mr. Lentz said that, in his mind, it is that we should have a Site Plan, Phase 1 and a Site Plan, Phase 2, where one is where you are just asking for more information.

Ms. Bennett said Preliminary and Final.

The Town Planner said that a comment was made that a lot of that should be handled in the Planner's Office going back to your comment on staff review; that she did ask about the Sketch Plan process and something that was done in some towns, previously, when there wasn't staff; that maybe just clarifying that section would be helpful.

Mr. Bouchard agreed we could do without a Sketch Plan; that they bring in a Site Plan and we review it and tell them what they need; that they take it home and fix it, or not, and we approve a site plan.

Mr. Lentz said that the latest checklist is right out of the ordinance; so, if they fill that out, we shouldn't have to look at it.

Mr. Bouchard said that the staff could definitely set them up ahead of time and make sure they are heading in the right direction.

Ms. Horner said that she feels like, the last couple of times, we've had applicants come in and asked which one (option) does the PB think should they do, which is the Sketch

Plan Review, and then we sit here as a PB and tell them that we can't tell help them with that.

Mr. Lentz said that there is that confusion.

The Town Planner said that Sketch Plan is not required to do; that some go right into Site Plan but the way that Sketch Plan is written out, it almost seems like you could do a sketch and then go out to the site, then, come back and do your Site Plan Application; that that's how it was being done if you look at some of the records, maybe 20 years ago and in the 1990's.

Mr. Lentz said that he thinks it's better if we review the documentation, first, then we go out for the Site Walk and come back to do our deliberation. He added that it seems to fit together, it flows better.

Ms. Horner asked if we were moving toward consensus to remove Sketch Plan.

Mr. Cieleuszko said that it is in multiple sections so it would be a big change.

The PB agreed that they would like to give it a little more thought.

The Town Planner encouraged the PB to take their time on the definitions and on the Site Plan Review section; that if you want to drag it out, then drag it out, get public input and get it the way you want it.

Mr. Meyer asked if the MMA workshop is open to just members of the PB or is that also open to the public.

The Town Planner said that that was a good question; that she had only asked for members of the PB.

Ms. Horner said that she thinks the public can go but they would have to pay the full fee.

Mr. Meyer asked if there was any talk of you folks attending this.

Mr. Cieleuszko said that he was going.


The Town Planner said that we have the 2017 updated Planning manual available for PB members.

ITEM 10 – SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board Meeting is scheduled for July 10, 2018 at 7PM.

ITEM 11 – ADJOURN

There was a motion and a second to adjourn the meeting at 9:00 PM.


Dennis Lentz, Chair
Date approved: 7/10/2018

Respectfully submitted,

Ellen Lemire, Recording Secretary