

**ITEM 1 - ROLL CALL**

Present: Dennis Lentz - Chairman, Ed Cieleszko, Melissa Horner,

Also Present: Doug Greene, Planner.

Absent: Christine Bennett (excused), Casey Snyder – Alternate (excused).

Voting members: Dennis Lentz, Ed Cieleszko, and Melissa Horner.

**ITEM 2 – PLEDGE OF ALLEGIANCE**

**ITEM 3 – MOMENT OF SILENCE**

**ITEM 4 – 10-MINUTE PUBLIC INPUT SESSION**

There was no public input.

**ITEM 5 – OLD BUSINESS**

**A. 11 Sanborn lane (Mao 23/Lot 14): PB18-12 – Site Plan Review for the following:  
Proposed 3,597 sq. ft. commercial manufacturing building, three 360 sq. ft.  
buildings, and associated site improvements.**

- 1. Southern Maine Planning & Development Commission Memo re: 11  
Sanborn Lane**
- 2. Town of Eliot Notification of Approved Sewer Allocation**

**Received: September 4, 2018**

**1<sup>st</sup> Heard: September 18, 2018**

**Public Hearing: \_\_\_\_\_, 2018**

**2<sup>nd</sup> Hearing: October 16, 2018**

**3<sup>rd</sup> Hearing: November 13, 2018**

**Site Walk: October 16, 2018**

**Approval: \_\_\_\_\_, 2018**

Tom Harmon (Civil Consultants) was present for this application.

Mr. Lentz said that the PB has received the Memo from SMPDC and letter of approval for a sewer allocation. He added that Mr. Harmon sent a new water line drawing, which is one thing we asked for.

Mr. Harmon agreed, saying that lot lines had been updated, as well. He added that he thought the next time we were back here was at a Public Hearing.

Mr. Lentz apologized, saying that the PB messed up, with the change in personnel and moving the meetings around, and we missed our window to get it published last time. He suggested we try for December 4<sup>th</sup>, which gives us a full two weeks.

Mr. Harmon agreed he could make that meeting.

Mr. (Peter) Billipp, representing the buyers for the property, asked if somebody could explain why the meetings were...your meetings are usually the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month, and that would be the 6<sup>th</sup> and the 20<sup>th</sup>, so what happened to that 1<sup>st</sup> meeting.

Mr. Lentz said that the 6<sup>th</sup> was Election Day and we decided that was not a good night to meet; so, we got out of sync and we did miss noticing in the paper, as well as the bulletin boards, that we would hold a public hearing.

Mr. Billipp asked about the 27<sup>th</sup> of November, which would be two weeks from tonight.

Mr. Lentz said that that's not a normal scheduled meeting; so, preferably, we would like to get back on schedule and get everything caught up again. He added that we would set it for December 4<sup>th</sup>, which is the 1<sup>st</sup> Tuesday in December, asking the PB members if they were agreeable.

The PB said yes.

Mr. Harmon said that he didn't think we owe the PB anything.

Mr. Lentz agreed that he thinks the PB has everything we need, at this point. He added that the issue that was still outstanding was the septic versus the private main, asking if Mr. Harmon got a copy of Lee Jay Feldman's memo.

Mr. Harmon said that he did.

Mr. Lentz said that he thought that Mr. Feldman was in agreement with Mr. Harmon.

Mr. Harmon agreed, once they found out you had to go to a private party to pay to get in there; plus, with what the applicant is doing, there isn't a high demand.

Mr. Lentz said that he doesn't see anything that's open-ended, here, and apologized over the public hearing notification. He asked the Planner to make sure Ms. Goodwin put the notice in as quick as she can, preferably tomorrow morning.

**B. Meadow Lane: Discussion on request for June 2019 ballot question for Town to accept Meadow Lane as a Town road.**

- 1. Southern Maine Planning & Development Commission re: Meadow Lane Street Acceptance**
- 2. Meadow Lane and Spinney Creek Plans**

Mike Dowling, representing the Meadow Lane group, was present for this discussion.

Mr. Lentz said that this was a continuation of the discussion trying to get the Meadow Lane road acceptance issue resolved for the SB to make a decision and the idea was to give them as much information as we felt we could. He added that we have the Memo from SMP&DC, as well as the plans that were found, which go back to 1995, for the street design. He asked if Mr. Dowling had any questions for the PB.

Mr. Dowling said that he was wondering about the SMP&DC memo, as he didn't receive a copy.

Ms. Lemire made copies.

Mr. Lentz said that we asked Mr. Feldman to go back and do some more research; that he's had meetings with the Town Manager and Public Works Director; that the PW Director took a walk along the road and came back with his recommendations. He added that the PW Director then sat down with Mr. Feldman and the Town Manager and they came up with 3 or 4 things, which are the recommendations. He read the recommendations:

*"Based on the inspection made, the following recommendations for the Planning Board's consideration is that:*

- 1. Two core samples be done to verify the profile of the roadway, one core to be in the new section and one be in the older section of the road.*
- 2. Monumentation be set as shown on the plan in order for the town to have a delineated right-of-way prior to placing it on the ballot for acceptance.*
- 3. Additional repairs may be needed as noted in the Public Works Director's comments which will need to be worked out with him."*

He clarified that he wasn't exactly sure other than Mr. Moulton said that there was some water puddling at the end down near where it meets Pleasant Street; that he believes there is a culvert and they don't know where the culvert empties but there are comments on the second page from the PW Director.

Mr. Greene said that he thinks it's about rutting, cracks, and drainage.

Mr. Lentz said that his take was that they took the list, which we gave to Mr. Dowling a couple of weeks ago, that had nine items and pared it down to those three. He added that that's where we stand right now. He added that, unless PB members disagree, that would be the Board recommendation, right now, to the SB; that those three things be completed and they could then consider that something to put on the ballot.

Mr. Cieleuszko asked when the drop-dead date was to get it on in June.

Mr. Lentz said that he would have to ask.

Ms. Horner said that she thinks it's in March.

Ms. Lemire said that it's probably no later than March 15<sup>th</sup>.

Mr. Lentz said that he thinks we have more than ample time.

Mr. Cieleuszko asked who would pay for the core samples.

Mr. Lentz said that it would be the Meadow Lane residents.

Mr. Dowling said that they are still hell-bent on the corings.

Mr. Lentz said that he thought they said that would be \$300 a shot, or something like that.

Mr. Dowling clarified that it would be \$3,000; that it's expensive and it put a serious burden on the homeowners; that there's been over a million in taxes paid for, really, zero; that we don't get plowed, we get nothing; so, he thinks it's really unfair.

Mr. Lentz said that, as he said to you guys the first time out, we tried to pare this down to what our recommendation would be and it's based on what our experts are saying; that he knows Mr. Dowling had his own engineer there, who looked at it.

Mr. Cieleuszko asked if Mr. Moulton was going to pick the spots for coring.

Mr. Lentz said that he didn't know.

Mr. Cieleuszko suggested that there was a standard that he might not be aware of for where he would draw that sample.

Mr. Lentz asked Mr. Greene to approach Mr. Moulton with those open items to see which ones he's going to take care of.

Ms. Horner asked how many residents there were.

Mr. Dowling said that he thought there were a total of 12 homes.

Ms. Horner asked if Mr. Dowling could do a cost-analysis for them to chip in money.

Mr. Dowling said that the problem we would get is that the people at the very front end of the road don't even chip in for the plowing because they know that we have to get out; so, seven people end up paying for everything; that they won't pay for the coring, either.

Ms. Horner said that she lives on the end of a very small, private, road, too; so, we only pay for the plowing on that road because no one will pay.

Mr. Lentz asked if there was anything else that the PB wanted to add to the recommendations.

Ms. Horner said that the only way to get around the core samples is to get proof from the developer or the company that put the pavement in.

Mr. Lentz said that there is no other way.

Mr. Cieleuszko said that he thinks the proof, now, is the core samples; the only usable proof.

Ms. Horner disagreed, saying that, if the developer had proof, she would take that in lieu of present-day core samples.

Mr. Dowling said that the fact that the developer had to put it in, per spec, and it was signed off by the PB and by the Town; that he had to build it to spec, as he had to put up a \$100,000 bond for that.

Mr. Cieleuszko said that he agreed with the recommendations.

Ms. Horner agreed, as well; that she just wished they could bring something that says 'that' and she thinks we'd be in a different spot; that without something like that, she would have to agree with the current recommendation.

The PB was in consensus to support the three recommendations.

Mr. Lentz asked Mr. Greene if there was anything he thought the PB was missing or he would like to add.

Mr. Greene said that he thought Mr. Feldman has spelled it out pretty clearly, here, and the recommendations are available to the PB to make, to take, or to leave.

Mr. Lentz asked if the PB was ready to make a motion to send a letter to the SB and the Town Manager saying 'these' are the requirements as we see them; that that's what we were asked to do; that we can't approve the road.

Mr. Cieleuszko asked if those were the sticking points or the full recommendation.

Mr. Lentz said that that's the full recommendation.

Mr. Greene agreed that there needs to be a motion.

Mr. Cieleuszko moved, second by Ms. Horner, that the Planning Board develop a letter to be sent to the Select Board recommending that, upon the completion of three recommendations consisting of:

1. Two core samples be done to verify the profile of the roadway, one core to be in the new section and one be in the older section of the road.
2. Monumentation be set as shown on the plan in order for the town to have a delineated right-of-way prior to placing it on the ballot for acceptance.

3. Satisfy the Public Works Director.

Upon completion of those recommendations, the Planning Board recommends that the SB consider the road be accepted as a Public road.

**VOTE**

**3-0**

**Motion approved**

Mr. Lentz said that we will send that letter off to the Select Board and Town Manager.  
Mr. Dowling to get a copy.

**ITEM 6 – NEW BUSINESS**

There was no new business.

**ITEM 7 – REVIEW AND APPROVE MINUTES**

Ms. Horner moved, second by Mr. Ciesleszko, to approve the minutes of October 16, 2018, as amended.

**VOTE**

**3-0**

**Motion approved**

**ITEM 8 – CORRESPONDENCE**

There was no correspondence.

**ITEM 9 – UPDATES**

Mr. Lentz asked if we found letters of decision.

Mr. Greene said that he found the Notice of Decision for PB18-11.

Mr. Lentz suggested we could approve this tonight.

Ms. Lemire said that she would resend PB17-13 to Mr. Greene; that the PB wanted Ms. Sherwin to review it and she thinks it fell through the cracks.

**ITEM 10 – SET AGENDA AND DATE FOR NEXT MEETING**

Mr. Lentz said that he would not be here for the next meeting but Ms. Bennett said that she would be glad to Chair the meeting.

Mr. Ciesleszko suggested we put off approving PB18-11 tonight.

The PB agreed to hold off until November 20<sup>th</sup>.

Ms. Lemire said that she talked with Mr. Greene and she will send any Decision Letters directly to Mr. Greene and the PB for everyone's review.

Mr. Lentz said that he would send his notes to Mr. Greene regarding the agenda for the Nov. 20<sup>th</sup> meeting.

Public Hearing for 11 Sanborn Lane December 4, 2018. Notice to go out immediately.

PB17-13 and PB18-11 Decision letters.

Temporary versus permanent structures.

Ordinances changes to §45-4 (Zoning) and §33-60 (Planning & Development) started by Ms. Prescott.

Mr. Lentz asked if we had any new applications coming through.

Mr. Greene said that there is one, at the moment; that it is likely that it will be on the agenda for November 20<sup>th</sup>; that he is awaiting a couple more pieces of information from them.

Mr. Lentz said that he could send a list of potential things and Mr. Greene could weigh if that's too much, along with that new application, and we can build the agenda that way.

Mr. Greene agreed.

Ms. Horner asked if the retail marijuana straw vote passed in Eliot.

Mr. Lentz said yes.

Ms. Horner said that she thinks we should keep talking about that.

Discussion regarded the State committee work and that nothing would really get going for us until the spring of 2019; also, the new Cannabis Committee (Town), their purpose, and how the PB would interface with that committee.

The next regular Planning Board Meeting is scheduled for November 20, 2018 at 7PM.

#### **ITEM 11 – ADJOURN**

There was a motion and a second to adjourn the meeting at 7:35 PM.

Town of Eliot  
REGULAR PLANNING BOARD MEETING MINUTES

November 13, 2018

7:00 PM

  
Christine Bennett, Acting Chair

Date approved: \_\_\_\_\_



**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**