



January 5, 2016
7:00 PM

ITEM 1 - ROLL CALL

Present: Steve Beckert – Chairman, Jeff Duncan, Greg Whalen, Dennis Lentz, and Christine Bennett – Alternate.

Also present: Kate Pelletier, Planning Assistant.

Absent: Larry Bouchard (excused), Melissa Horner – Alternate (excused).

Voting members: Jeff Duncan, Dennis Lentz, Greg Whalen and Christine Bennett.

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 – REVIEW AND APPROVE MINUTES, AS NEEDED

Mr. Duncan moved, second by Mr. Lentz, to approve the minutes of October 20, 2015, as amended.

VOTE

4-0

Chair concurs

Mr. Lentz moved, second by Mr. Duncan, to approve the minutes of November 17, as amended.

VOTE

4-0

Chair concurs

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

- **PB15-03: Libbey**
- **PB15-14: Payne**

These Decision Letters were moved to the next meeting agenda.

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

A. 10-minute public input session

Mr. (Bob) Fisher said that he wanted to report to the PB on the subdivision you okayed back in August or September; that they have big problems out there with drainage about running into everything and they really can't come up with a conclusion on how to get rid of the water; that they are bringing in all kinds of trucks in there with gravel to fill them in; that they get stuck and can't get back out and have to get another truck to pull them

out. He added that we have big problems down there with the leech fields, eventually; that he's sorry the PB didn't do something different than they did.

Mr. Beckert clarified that that is the open space subdivision off from Frost Hill Road (Thompson Lane). He said that that would be something that, if there's an issue, then that is a Code Enforcement issue.

Ms. (Michelle) Myer said that her comment referred back to the last opportunity we had for public comment when she asked why it was that the Board felt it necessary to contact the Eliot Police for the meeting that was moved from 'here' to the Eliot Commons; that your response to her, at that time, was that you didn't know.

Mr. Beckert clarified that his response was that he did not call the Eliot Police; that it is his understanding that she has had discussion with the Town Manager and the Town Manager explained to her what happened and why they were called.

Ms. Meyer asked if this was public comment or...

Mr. Beckert said that he was just trying to explain to her; that she is trying to tell him what he said and he reiterated that he did not contact the Eliot Police for that meeting.

Ms. Meyer said that, yes, that is what he said; that she believes that response to be disingenuous and misleading because you knew that Ms. Pelletier had called.

Ms. Pelletier said that she didn't call; that it wasn't me, either.

Mr. Beckert said that the Town Manager explained it to Ms. Meyer fully.

Ms. Meyer said that she doesn't believe he was present there.

Mr. Beckert said that he has seen the email traffic back-and-forth between her and the Town Manager.

Ms. Pelletier said that she had also.

Ms. Meyer asked who, then, called 911.

Ms. Pelletier said that the Town Manager did.

Ms. Meyer asked with no prompting from Ms. Pelletier.

Ms. Pelletier said that that was correct.

Ms. Meyer said that that's not what the Town Manager has told other citizens, when asked; so she guesses it's a mystery.

Ms. Pelletier said that it's not a mystery.

Ms. Meyer asked if the Town Manager was here.

Ms. Pelletier said that, no, he was at home.

Ms. Meyer said that he knew, telepathically, that the meeting was going to be moved.

Ms. Pelletier said no; that she told him the meeting was going to be moved.

Ms. Meyer said that she did inform the Town Manager that the meeting was going to be moved.

Ms. Pelletier said that, if Ms. Meyer wants to know what the conversation was, he asked her if she wanted the police there and she said no; that he called them, anyway. She added that that's how it happened, no mystery.

B. Schedule public hearing for proposed ordinance amendment, "*Amendments to Chapter 45, Zoning, and Chapter 1, General Provisions, of the Municipal Code of Ordinances of the Town of Eliot, Maine, to allow accessory structures meeting minimum setback requirements in the front yard.*"

Mr. Beckert said that PB members should have a copy of that proposed ordinance change in front of them.

Ms. Pelletier said that she thinks we went over this in October; that the PB had no changes to it from that point but we can still make changes to it.

It was the consensus of the PB to schedule this for their first meeting in February.

Ms. Bennett said that she went back and looked at the tape; that she believes Mr. Whalen had some comments about the proposed change in the definition to the accessory structure, the height.

Mr. Whalen clarified that it was the size.

Ms. Bennett asked if we should have a little more discussion about it before we put it forward for public hearing or should we just wait for public input.

Mr. Beckert said that we can make changes at any point up until the point we present it to the BOS for inclusion on the warrant.

Mr. Whalen said that he was all set; to let the public have an opportunity to chat about it; that the size issue will come up, he's sure.

Ms. Pelletier said that we will still have about a month after that public hearing to make any changes.

ITEM 7 – DISCUSS STATUS OF OUTSTANDING ACTION ITEMS

Ms. Bennett said that, in conjunction with this proposed ordinance to accessory structure location, the letter from the BOA, dated in October, asked that we clarify the definition of a 'front yard' and, also, that we clarify the definition of 'corner lot'; that there were three points they were asking about. She asked if we should try to put forward some clarifications for that same public hearing.

Ms. Pelletier said that she could tell Ms. Bennett why we didn't do that; that she and Ms. Ross, working with this all the time and this problem all the time, it's never the definitions of those two things that are problematic in our eyes. She added that we came up with this together and thought that this solved it without making any more changes than necessary; that in situations like these you don't want to change the entire ordinance. She suggested giving this to the BOA and asking them if it solves their issue or if they have any input on it.

Ms. Bennett said that, maybe, we should have a joint workshop with the BOA because the first two points that they asked for were for clarification of those definitions and, then, this amendment.

Ms. Pelletier said that that was a possibility; that this was just our solution and our suggestion; that we are certainly open to any edits or changes.

Mr. Beckert said to forward it to the BOA, ask them for their input, and ask if they want a workshop on it.

ITEM 8 – CORRESPONDENCE AND PLANNING ASSISTANT, AS NEEDED

Response to Hilt, et al appeal of Planning Board decision

Mr. Beckert said that this is just informational, at this point.

Ms. Pelletier said that Mr. Wood had some mylars for the PB to sign.

At this time, PB members signed the mylars.

Mr. Duncan said that regarding the vote he would prefer not to have his name on that if the PB doesn't need it.

Mr. Beckert said that we will have a discussion about that afterwards; that when the Board votes, it becomes a vote of the Board, regardless of whether you are a dissenter, or not.

Mr. Duncan said he understood.

Mr. Beckert said that the Board has discussed that.

Mr. Duncan asked Ms. Pelletier if all signatures were required on here.

Ms. Pelletier said that it was just a majority of the Board.

Ms. Bennett said that she would be away for the second February meeting.

ITEM 9 – SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board Meeting is scheduled for January 19, 2015 at 7PM.

ITEM 10 – ADJOURN

There was a motion and a second to adjourn the meeting at 7:38 PM.



Steve Beckert, Chairman
Date approved: 3-1-2016

Respectfully submitted,

Ellen Lemire, Recording Secretary