

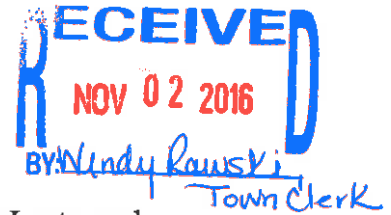
ITEM 1 - ROLL CALL

Present: Steve Beckert – Chairman, Jeff Duncan, Larry Bouchard, Dennis Lentz, Melissa Horner – Alternate, and.

Also present: Kate Pelletier, Planning Assistant.

Absent: Greg Whalen (excused).

Voting members: Steve Beckert, Jeff Duncan, Larry Bouchard, Dennis Lentz, and Christine Bennett – Alternate.



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 4, 2016, as amended.

VOTE

5-0

Chair votes in the affirmative.

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

There were no Notice of Decision letters reviewed tonight.

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

A. 10-minute public input session

There was no public input tonight.

B. Application to establish a home business engaged in preparing and packaging fresh lobster meat for off-site sale. Owner/applicant is Ryan Harmon (mailing address: 67 Depot Road, Eliot, Maine 03903.) Property can be identified as 67 Depot Road, Map 53/Lot23, and is located in the Suburban Zoning District. (PB16-19)

Mr. (Ryan) Harmon was present for this application.

Mr. Beckert said that they have a memo from the Fire Chief that he has reviewed the application and has no issues or comments; that we also have a checklist from Ms. Pelletier on the application. He invited Mr. Harmon to summarize his request.

Mr. Harmon said that he was going to put some tanks in, maybe hold 500 pounds of lobster in a 10' X 12' shed; that he built a room in the garage for sinks to pick the meat; that it's just for the convenience of having people come to the house and buying it.

Ms. Pelletier confirmed that he will be having people come to his house.

Mr. Harmon said yes, to pick up lobsters.

Ms. Pelletier discussed the checklist, saying that she discussed her concerns with Mr. Ryan the other day. She said that her biggest concern was the shed that the lobster tanks are located in; that the rules say that any structure used as part of the home business has to meet the same setbacks as a principal structure so that shed is way too close to the line. She added that he is going to rework that and put it in another spot for next time.

Mr. Beckert confirmed with Mr. Harmon that he would have that revised on his drawing for the next meeting.

Mr. Harmon said yes.

Ms. Pelletier said that she didn't know where Mr. Harmon wanted to locate signs.

Mr. Harmon said that he didn't really need signs.

Mr. Beckert said that he has the option, if he wants a sign in the future, if he puts it on his plan then he doesn't have to come back to the PB.

Ms. Pelletier said that he can put an X to indicate location and it can be up to 6 square feet.

Mr. Lentz asked Ms. Pelletier, for his information regarding the tanks, where the issue lies.

Ms. Pelletier said that you can use any structure on your property as part of your home business, up to 1,500 square feet, of any of them; but, any one of those structures that is used as part of the home business has to meet the same setbacks as the principal structure, and not an accessory structure. She added that a shed is usually set back 10 feet from a property line and that won't cut it for a home business, without a variance, anyway.

Mr. Bouchard asked how wastewater from the lobster tanks would be handled when the tanks are drained.

Mr. Harmon said that he wasn't planning to drain them; that the tanks are filtered and any water that does get onto the floor will go into the sub-drain. He added that we never change the water out but we do add water because it does evaporate.

Mr. Bouchard asked how big the tanks are.

Mr. Harmon said that the tanks would hold a total of 1,000 gallons.

Ms. Bennett asked, regarding the room in the garage to pick lobster meat, will they be packaged for sale for consumption.

Mr. Harmon said yes.

Ms. Bennett asked if this falls under any health and safety guidelines.

Ms. Pelletier said that he will need a license from the State; that that is all a part of the process.

Ms. Bennett asked if the State had any guidelines about needing to have a bathroom and a hand sink.

Mr. Harmon said yes.

Ms. Bennett asked Mr. Harmon if he would make his application to the State to get certified to be a food processor and things like that.

Mr. Harmon said yes.

Mr. Bouchard asked Mr. Harmon if he had a dumpster.

Mr. Harmon said yes.

Mr. Bouchard asked if that would handle lobster shells and shucking and meat.

Mr. Harmon said yes.

Mr. Bouchard asked Ms. Pelletier if there was anything specific on that, like a restaurant.

Ms. Pelletier said that we do have a dumpster ordinance, explaining that it requires a permit from the CEO, not the PB; that if it's part of the business, it should be located on the site plan; that she thinks it requires a pad underneath it. She added that she had not gotten comments back from Mr. Moulton, yet, but it sounds like something he would probably do; that if there's an issue, he would raise it.

The PB agreed they did not need to do a site walk. The Public Hearing is scheduled for November 1, 2016.

Ms. Pelletier said that Mr. Harmon had to have corrected documents back to her by October 24th by 5PM.

C. Request for Planning Board Action to amend a previously-approved site plan (PB15-06) by moving a fire lane in order to accommodate a pad-mounted rooftop RTU (Remote Terminal Unit) at 25 Harold L. Dow Highway. Applicant/owner is Chloe Allegra Holdings, LLC (mailing address: 647 US Route 1, Suite 14-101, York, Maine 03909). Property can be identified as Map 17/Lot 33 and is located in the Commercial/Industrial Zoning District. (PB16-20)

Ms. (Janie) Wang (owner) and Mr. (Jon) Bell (Patco Construction) were present for this application.

Mr. Beckert asked if we had heard from the Fire Chief.

Ms. Pelletier said that he stopped by her office today and noted that he had no issues with it; that he was fine with it. She added that this is a very minor change.

Mr. Beckert asked what the pleasure of the PB on how to handle this request.

All five voting members agreed that this was an administrative issue by consensus.

Mr. Duncan asked what this RTU is.

Mr. Bell said that it is a rooftop unit – air conditioner/heater – and it will be essentially placed next to the building, with ducts going into the building, and will service their negative pressure rooms.

Mr. Duncan asked if it was electric or propane.

Mr. Bell said propane.

Mr. Bouchard asked why the change so late.

Mr. Bell said that it was an oversight on his part; that another person was doing the civil engineering and he was doing the building design and he just kind of lost track of the site plan, in regard to the building; that he came up with the great idea of the specific location and just forgot that there was a fire lane there; that we were getting ready to install it and realized the issue.

Mr. Beckert said that the PB has agreed to handle this as an administrative issue and asked for the PB's pleasure.

Mr. Duncan moved, second by Mr. Bouchard, that PB16-20 be approved with the same terms and conditions as PB15-6.

VOTE

5-0

Chair votes in the affirmative

Mr. Beckert 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.

ITEM 7 – DISCUSS STATUS OF OUTSTANDING ACTION ITEMS

There was no discussion.

ITEM 8 – CORRESPONDENCE AND PLANNING ASSISTANT, AS NEEDED

- **Final draft policy formalizing the Planning Board's long-standing practice of requiring submissions to the Board at least 10 days in advance of meetings, when not otherwise specified by ordinance.**

Ms. Pelletier said that she has not given that out, yet; that it was just a little, minor tweak that she will get to them for the next meeting.

Mr. Beckert said that we would do the final version November 1st, reviewing it and, if the PB so desires, adopt it.

- **October 11, 2016 memo from the Planning Assistant to Town Manager re: Moratorium on retail marijuana establishments and social clubs.**

Ms. Pelletier said that she would be going to the SB meeting to discuss it, if anyone had any questions on it.

It was agreed that this would be kept on future agendas, starting November 15th, directly after the election voting.

Ms. Bennett will get a by-law draft to the PB.

Ms. Pelletier said that she and the CEO will soon be attending a workshop that deals with mandates for shoreland zoning to marijuana to erosion control, adding that they continue to get as much information and guidance that they can. She added that, next meeting, they will have a light application agenda so she will put the growth permit issue on the agenda and she should be all set on that by then, too, so that we can just have an ordinance night.

Mr. Beckert agreed, saying that we need to get back into that; that we used to do one meeting a month dedicated to ordinances.

ITEM 9 – SET AGENDA AND DATE FOR NEXT MEETING

The next regular Planning Board Meeting is scheduled for November 1, 2016 at 7PM.

ITEM 10 – ADJOURN

There was a motion and a second to adjourn the meeting at 7:23 PM.



Steve Beckert, Chairman
Date approved: 11/1/16 

Respectfully submitted,

Ellen Lemire, Recording Secretary