

TOWN OF ELIOT, MAINE

PLANNING BOARD AGENDA

TYPE OF MEETING: IN PERSON WITH REMOTE OPTION
PLACE: TOWN HALL/ZOOM

DATE: Tuesday March 19, 2024
TIME: 6:00 P.M.

PLEASE NOTE: IT IS THE POLICY OF THE PLANNING BOARD THAT THE APPLICANT OR AN AGENT OF THE APPLICANT MUST BE PRESENT IN ORDER FOR REVIEW OF THE APPLICATION TO TAKE PLACE.

1. **ROLL CALL**
Quorum, Alternate Members, Conflicts of Interest
2. **PLEDGE OF ALLEGIANCE**
3. **MOMENT OF SILENCE**
4. **10-MINUTE PUBLIC INPUT SESSION**
5. **PUBLIC HEARING**
 - a) **Proposed Town Code Amendments of:**
 - Chapter 1 – General Provisions and Chapter 25 – Floodplain Management Ordinance, Related to an Update of the Town's Floodplain Management Ordinance
 - b) **Annual Growth Permits Allocation and Report**
6. **NEW BUSINESS**
 - a) 178 Harold L. Dow Hwy. (Map29, Lot 20): PID#029-020-000, PB2404: Sketch Plan Review Elderly Housing Development
7. **OLD BUSINESS**
 - a) 324 Goodwin Rd. (Map 66, Lot 46): PID# 066-046-000, PB23-22: Home Business Application – Professional office and equipment storage
 - b) 708 River Rd. (Map 50, Lot 29), PID# 050-029-000, PB23-07: Preliminary Plan for Residential Subdivision (4 lots)
8. **REVIEW AND APPROVE MINUTES**
 - a.) Notice of Decision PB 23-17 (22 Arc Rd.)
9. **OTHER BUSINESS / CORRESPONDENCE**

Updates, if available: Ordinance Subcommittee, Comprehensive Plan, Town Planner, Board Member

 - a.) Planning Board Schedule & Application Queue
 - b.) April Board Retreat 4/2/2024
10. **SET AGENDA AND DATE FOR NEXT MEETING**
 - a) April 2, 2024
11. **ADJOURN**

NOTE: All Planning Board Agenda Materials are available on the Planning Board/Planning Department webpages for viewing.

To view a live remote meeting: (Instructions can also be found on the Planning Board webpage)

- a) Go to www.eliotme.org
- b) Click on "Meeting Videos" – Located in the second column, on the left-hand side of the screen.
- c) Click on the meeting under "Live Events" – The broadcasting of the meeting will start at 6:00pm (Please note: streaming a remote meeting can be delayed up to a minute)

Instructions to join remote meeting:

To participate please call into meeting 5 minutes in advance of meeting start time. Please note that Zoom does state that for some carriers this can be a toll call. You can verify by contacting your carrier.

- a) Please call **1-646-558-8656**
 1. When prompted enter meeting number ID: **858 5692 5166**
 2. When prompted to enter Attendee ID
 3. When prompted enter meeting password: **758498**

Members of the Public calling in, will be first automatically be placed in a virtual waiting room until admitted by one of the members of the Planning Board. Members of the public will be unmuted one at time to allow for input. Please remember to state your name and address for the record.

- b) Press *9 to raise your virtual hand to speak


Christine Bennett, Planning Board Chair



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

PUBLIC HEARING NOTICE

AUTHORITY: Eliot, Maine Planning Board
PLACE: Town Hall (1333 State Rd.) with Remote Option
DATE OF HEARING: March 19, 2024
TIME: 6:00PM

1st of 2 Notices: Notice is hereby given that the Planning Board of the Town of Eliot, Maine will hold a public hearing on Tuesday, March 19, 2024, at 6:00 PM for the following:

Proposed Town Code Amendments of:

- Chapter 1 – General Provisions and Chapter 25 – Floodplain Management Ordinance, Related to an Update of the Town’s Floodplain Management Ordinance
- [Tentative] Chapter 1 – General Provisions and Chapter 45 – Zoning, Related to Conversion of Certain Single-Family Dwellings Into Two-Family Dwellings

Annual Growth Permits Allocation and Report

The Planning Board will also review these proposed ordinance amendments at its March 12, 2024, 6:00pm meeting.

Interested persons may be heard and written communication received regarding the proposed ordinance amendments at this hearing. The proposed ordinance amendments are on file and available for review in the Planning Office at Eliot Town Hall, 1333 State Road, Eliot, ME 03903. The meeting agenda and information on how join the remote Zoom meeting will be posted on the web page at eliotmaine.org/planning-board. Town Hall is accessible for persons with disabilities.

Seacoastonline

Govt Public Notices

Originally published at seacoastonline.com on 03/08/2024

PUBLIC
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PLACE: Town Hall (1333 State Rd.) with Remote Option

DATE OF HEARING:

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Proposed Town Code

Amendments of:

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Annual Growth Permits

Allocation and Report

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... ROLL from page 24

Honorable Mention

Cameron Buckman, Jacob Bynum, Sarah Clemar, Kayleigh Dowd, Noah Fitzgerald, Ryan Gonroski, Erin Lindgren, Shannen Maldonis, Sarah McClellan, Harrison Page, Riley Pamham, Brianna Prisky, Noah Quater, Allison Smith, Jacob Theriault, Jaelin Trager, Olivia Wiggins.

Juniors

High Honors

Kaelyn Abrahamson, Ryan Arnold, Elizabeth Barber, Addison Beale, Anja Blanchette, Ella Bogh, Katelynn Breton, Jacob Cardoza, Max Curry, Sebastian Darling, Olivia Drake, Zachary Ferioli, James Foss, Madeline Getchell, Kaylee Gilbert, Eva Hersey, Hannah Hodges, Lucy LaRosa, Lila Manter, Olivia Minotti, Lucy Parker, Micaiah Perodin, Joshua Sawyer, Sivan Seimo, Chyanne Simms, Fiona Tierney, Megan True, Chloe Walker,

Collin Yager.

Honors

Kevin Aceto, Gus Alexander, Jack Anderson, Tia Anderson, Jaclyn Arnold, James Bailey, Colin Barker, Elias Bohanan, Owen Boyer, Summer Brown, Sarah Brown, Brynn Butler, Luigi CentiPizzutilli, Amelia Chick, Andre Clark, Luca DeGrappo, Olivia Desjardins, Elaine Doran, Lana Emery, Ryan Essex, Maria Flynn, Sarah Galvin, Lauryn Gobbi, Jackson Hamilton, Emmett Hammond, Ari Herman, Laura Horvath, Norah Knowles, Brady Macdonald, Quinn Maguire, Halley McIntire, Daniel Mercier, Alyssa Moore, Alexander Morris, Ryan Morrissey, Hannah Moylan, Anthony Piazza, Gracey Pickett, Haley Puffer, Ethun Quinlan, Noah Rogers, Caden Rose, Zachary Camp, Brianna Schoff, Lilla Seekamp, Simone Sevland, Kylie Shaw, Cullen St. Cyr, Sarah Theriault, Benjamin Thompson, Dayshawn Toussaint, Taylor Udy, Hayden Wakefield, Shane Waterman, Edward Wiggins, Emily Young.

Honorable Mention

Savannah Cook, Hannah Doukas, Aidan Grady, Everett Hammond, Caleb Hickman, Charles Hudson, Tyler Hussey, Amelia Marley, Aliza McKenney, Silas Reimels, Aidan Stockwell, Wyatt Stout, Morgan Tessier, Lauren Walker, Liam Young.

Sophomores

High Honors

Sawyer Atkinson, Rogan Bolsvert, Piper Catanese, Emma Cosenza, Jack Dalton, Fisher Drake, David Duval, Brynn Folger, Kate Harmon, Anson Lin, Thomas McClellan, Sean Philbrick, Isabel Rothwell, Ava Sanzone, Laural Shisler, Griffin Smith, Riley Smith, Charlotte Smith, Francis Tay, Noah Tessier, Wyatt Ury, Fiona Williams, Olivia Woods.

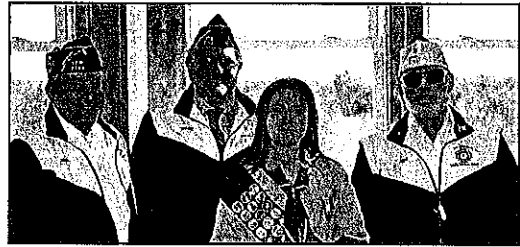
Honors

Jacob Beauchesne, Chloe Crosby, Shane Cullity, Sabine D'Aran, Parker Dixon, Nora Dockham, Kamryn Donovan, Logan Dowd, Anyea Edelman, Tavlan Fennell, Kylie Folger, Lyla Foote, Alanna Foster, Aubrey Gelasakis, Cole Goodwin, Esme Gori, Scarlett Gregoire, Liam Haggerty, Avery Hall, Madika Harrison, Olivia Hartin, Charlie Hill, Brady Isabelle, Gianna Jones, Nathan Kelley, Natalie Lathrop, Camden Marquis, Dexter Martin-Hart, Jack McManus, Molly Moore, Mycuelynne Murray, Henri Rivard, Clavy Robinson, Maya Sanzone, Oliver Scott, Carter Shaw, Olivia Simonelli, Adele Smaracko, Leo Smith, Paige Souder, Renee St. Pierre, Kelsie Strong, Jackson Widerstrom, Cole Wolfe, Nellie Young.

Honorable Mention

Troy Basco, Brody Bivens, Jason Burns, Aidan Canty, Savannah Chapman, Noah Croteau, Johanna Delina, Klan Denault, AnaClara Freire, Owen Kelly, Brevan Lavin, Atslinn Palardy, Riley Phipps.

Kaylin Grogg Named Eagle Scout



SOUTH BERWICK - South Berwick Memorial VFW Post 5744 recently presented a certificate of recognition and a cash award to Kaylin Grogg for attaining the rank of Eagle Scout with Boy Scouts of America Troup 338. Grogg was honored at an Eagle Scout Court of Honor held

at the Spring Hill banquet facility in South Berwick. She is York County's first female Eagle Scout! Pictured are (left to right): Past Commander Malcolm Kenney, Post Quartermaster Mark Scheele, Kaylin Grogg, and Post Commander Jeffrey Chase. Photo by Post Historian Michael St. Pierre.

Carter Siebach, Bryan Smith, Olivia Sullivan, Daniel Verrill, Ethan Waddell, Cole Webber, Jenna Wessling.

Freshmen

High Honors

Megan Aceto, Brooke Biniszklewicz, Sophia Bogh, Olivia Burke, Lucinda Cox, Judah Curry, Cameron Daley, Jack Eardley, Mabel Emery, Noah Ferioli, Samuel Gennaro, Annabelle Getchell, William Gilbert, Finnian Holland, Keira Keaveny, Emily Keltin, Sydney Levellie, Chloe Marley, Zora Nobel, Sawyer Reimels, Sophia St. Cyr, Kate Starkey, Ryder Webber, Ethan Winchester.

Honors

Alexa Adams, Drake Anderson, Nicholas Ansara, Reagan Bailey, Logan Calimeri-Duquette, Greg-

ory Castoras, Rosalie Catucci, Olive Chase, Gracelyn Childress, Amaya Conte, Ayden Day, Ayalyn DeForge, Connor Desmarais, Noah Drake, Georgia DuBois, Eva Ducey, Shelby Dupuis, Jolie Folger, Baer Gray, Edward Grieg, Amelia Halverson, Ashlyne Hichens, Jack Holland, Kaylyn Hopkins, Baylor Horvath, Anna Jennings, Cate-lin Jussauime, Keelan Kennedy, Brianna LaGrassa, Alyse Landry, Matthew Layton, Brody Leighton, Draidan Mason, James Morecroft, Evan Nelson, Zoe Noonan, Casimir Pendleton, Eden Prisky, Aurora Pruest, Ethan Reichert, Leah Richards, Ella Roberts, Samaya Sabera, Jack Sanborn, Michael Sbrizza, Flona Segit, Scott Sessler, Hamilton Siebach, Gavin Stone, Hazel Stout, Julia Sudol, Roman Syl-vester, Samuel Therrien, Hannah

See SMART on page 30 ...

LEGAL NOTICES

**Town of York, Maine
NOTICE OF PUBLIC HEARING
PLANNING BOARD / SELECTBOARD**



DATE: Monday, March 11, 2024 at 6:00 PM

PLACE: York Public Library, 15 Long Sands Road, York

The York Planning Board and Selectboard will conduct a joint public hearing regarding a proposed ordinance amendment as follows:

- Floodplain Management Ordinance

Printed copies of the proposed amendment (draft document dated December 21, 2023) are available with the Town Clerk at the Town Hall, and digital copies are available on the Town's website: www.yorkmaine.org.

NOTICE OF PUBLIC HEARING

To: Marianne Goodline or Michele Stivalletta-Noble, Cindy Appleby, Mark Dupuis, Keeley Lambert, Mike Livingston, resident of the Town of Wells, County of York, and State of Maine; GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Wells that the Board of Selectmen of said town will meet at the Municipal Building, 208 Sanford Road, Wells on the 19th day of March 2024 at 6:00 p.m. in the evening.

The Board will conduct a public hearing on "An Ordinance to Amend Chapter 116 (Floodplain Management) of the Town of Wells to update per FEMA requirements".

SELECT BOARD OF THE TOWN OF WELLS

NOTICE OF PUBLIC HEARING

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The Board will conduct a public hearing on a Zoning District Boundary Change to change the zoning boundaries of Map 133, Lot 25-EXE and Map 134, Lot 24-EXE from Residential-Commercial to the General Business District.

SELECT BOARD OF THE TOWN OF WELLS

TOWN OF WELLS, MAINE PLANNING BOARD

**NOTICE OF PUBLIC HEARING
MONDAY, MARCH 19, 2024 @ 6:00 P.M.
WELLS TOWN HALL, 208 SANFORD ROAD, WELLS**

The Wells Board of Selectmen and Wells Planning Board will hold a Joint Public Hearing regarding the following proposal(s) during the Select Board meeting on Tuesday, March 19, 2024, which begins at 6:00 P.M. and will be held at the Wells Town Hall.

I. An Ordinance to Amend Chapter 116 (Floodplain Management) of the Town of Wells to update per FEMA requirements.

II. A Zoning District Boundary Change to change the zoning boundaries of Map 133, Lot 25-EXE and Map 134, Lot 24-EXE from Residential-Commercial District to the General Business District.

LEGAL NOTICES

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The Board will conduct a public hearing on "An Ordinance to Amend Chapter 145 (Land Use) of the Town of Wells to Change the Performance Standards Requirements for Congregate Care Facilities and Life Care Facilities, Definitions and Use within the Residential A, Residential-Commercial, and General Business Districts".

SELECT BOARD OF THE TOWN OF WELLS

**Town of Eliot
PUBLIC HEARING NOTICE**

AUTHORITY: Eliot, Maine Planning Board
PLACE: Town Hall, 1333 State Rd., with Remote Option
DATE OF HEARING: March 19, 2024
TIME: 6:00PM

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Annual Growth Permits Allocation and Report

The Planning Board will also review these proposed ordinance amendments at its March 12, 2024, 6:00 PM meeting.

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PB24-4: 178 Harold L. Dow Hwy. (Map 29, Lot 20): Subdivision/Site Plan Review Application – Elderly housing subdivision (8 units) and commercial building addition – **Sketch Plan Review**



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Michael J. Sudak, E.I., Attar Engineering, Applicant's Representative
Shelly Bishop, Code Enforcement Officer
Kim Tackett, Land Use Administrative Assistant
Date: March 14, 2024 (report date)
March 19, 2024 (meeting date)
Re: PB24-4: 178 Harold L. Dow Hwy. (Map 29, Lot 20): Subdivision/Site Plan Review Application – Elderly housing subdivision (8 units) and commercial building addition – **Sketch Plan Review**

Basic information

1. The record owner of the property is: J & J's Pathfinder, LLC (mailing address: 402 The Hill, Portsmouth, NH 03801).
2. The applicant is: J & J's Pathfinder, LLC (mailing address: 402 The Hill, Portsmouth, NH 03801).
3. The property is located at: 178 Harold L. Dow Highway and is 3.0 acres.
4. The property can be identified as: Assessor's Map 29, Lot 20.

Zoning

5. The property is in the **Commercial/Industrial** zoning district.
6. The property does not have shoreland zoning on it.

Overview of proposed development

7. The applicant "proposes to construct a 2-story, 2,420 square feet addition on the southwest side of the existing building, and eight, 2-story Elderly Housing units" (per 2/8/24 cover letter).

Additional information

See attached Planner and applicant correspondence.

* * *

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner



ATTAR

ENGINEERING, INC

CIVIL STRUCTURAL MARINE

Mr. Jeffery Brubaker, AICP, Town Planner
Town of Eliot, Maine
1333 State Road
Eliot, Maine 03903

March 13th, 2024
Project No. C331-22

**RE: Sketch Subdivision Application – Supplemental Information
J & J's Pathfinder, LLC (Tax Map 29, Lot 20)
178 Harold L. Dow Highway (State Route 236), Eliot, Maine**

Dear Mr. Brubaker:

On behalf of the lot owner/applicant, J & J's Pathfinder, LLC, I have enclosed a Sketch Subdivision Application and supporting narratives for your review and consideration. This submission seeks to provide supplemental information to the Sketch Application for Site Plan Review which was submitted on February 8th, 2024, as well as follow-up correspondence between the Applicant's agent and Town Staff from mid- to late-February. Said correspondence is attached for reference.

Sheet #2 (Overall Development Plan) is attached and is intended to be added to the eventual full Plan Set. This page depicts the proposed development within the subject parcel as shown on Sheet #1 which was included in the February application, but also expands the field of view to show the northwesterly-abutting parcel. The subject parcel retains an existing 25'-wide access easement across this abutting parcel, which the Applicant understands is now partially or wholly owned by the Town of Eliot. Sheet #2 depicts the proposal to utilize this access easement to develop a travelway and second means of access to service the proposed development. The current proposal for this travelway is a 20'-wide paved corridor, subject to Planning Board determinations described below. Should the proposed development of this travelway cause the Applicant to pursue a widening of the existing easement, the attached correspondence suggests that this matter can be accomplished through the Eliot Town Manager.

The attached Overall Development Plan satisfies the requirements of §33-105 for Specifics of Sketch Plan, with additional details being withheld until discussion and action by the Planning Board. Ordinance Street Layout and Design Standards of §37-69.(d) and §37-70 give the Planning Board the ability to classify the dimensional standards of the proposed travelway, and §33-103 provides guidance on the timeline under which such determinations must be made. The Applicant is looking forward to the discussion and comments received at the first Sketch Review meeting, and conducting a follow-up Site Inspection to allow the Board to make these determinations and continue the Sketch process.

With the development proposing to utilize two means of access, the intended (and allowable) use of both the existing entrance and the proposed Beech Road connection relative to traffic movement will be an important portion of early application review. The Applicant has contracted Sewall to prepare an eventual Traffic Impact Analysis (TIA) for the proposed development, and looks forward to receiving feedback pursuant to §41-221 from Town Staff and the Planning Board at the first meeting which will advise the nature of this analysis.

The subject parcel abuts the Suburban zoning district along a portion of its southeastern and the entirety of its northeastern sideline, across which no existing vegetative buffering exists (landscaped area – lawn). As such this development shall be required to provide visual screening from the abutting residential use via options outlined in §33-175.(a). The Applicant welcomes comment from the Planning Board on the preferred choice of visual screening to be installed in this area. Additionally, the landscaping requirements for the 50' frontyard setback abutting Route 236 should also be discussed, and observed during the eventual Site Inspection. The majority of the frontyard buffer of the subject parcel is currently occupied by a large wetland complex and small freshwater pond, both of which will hopefully satisfy the bulk of the vegetative cover requirements of §33-175.(b).

The Town's definition of Elderly Housing per §1-2 reads, in part

"...units constructed, operated, or financed wholly or partially with state or federal funds. Elderly persons or handicapped persons shall occupy the housing units. The state or federal funding program must have received the approval of the United States Department of Housing and Urban Development as one designed and operated to assist elderly persons."

The Applicant intends to finance the proposed development privately with their own funds, with the caveat of having the traditional mortgages prepared for the Elderly Housing units be insured by both the Department of Housing and Urban Development (HUD) and the Federal Deposit Insurance Corporation (FDIC). This format is consistent with other Elderly Housing units previously-approved and since-constructed in Eliot, including the Villages at Great Brook and Eliot Commons Senior Housing.

Lastly, an additional narrative was requested in support of the proposed waiver of §41-310(d) – with the Applicant requesting the maximum allowable gross floor area of 1,200 square feet be relaxed to 1,940 square feet. An attached narrative prepared by the Applicant's Residential Design Architect discusses the benefit of such a waiver being granted.

We look forward to discussing this project with the Planning Board at their March 19th meeting. Please contact me for any additional information or clarifications required.

Sincerely;



Michael J. Sudak, E.I.
C331-22 Cover 13Mar2024.doc

**TOWN OF ELIOT
PLANNING BOARD
SUBDIVISION APPLICATION**

This application shall conform in all respects to the Land Subdivision Standards of Chapter 41 of the Planning Board of the Town of Eliot code of ordinances. Ten (10) copies of application and sketch plan shall be submitted.

Application for (X) Sketch plan

() Preliminary plan for major subdivision

() Final plan for minor subdivision

1. Proposed name of subdivision: J & J's Pathfinder Mixed Use Development
2. Location of property: 178 Harold Dow Highway
3. Tax Map: 29 Lot # 20 Size (acres): 3.0 Ac.
4. Zoning District (circle one) Commercial/Industrial Rural Suburban Village
5. Name of record owner: J & J's Pathfinder, LLC. Mailing address: 402 The Hill, Portsmouth NH Phone #603-498-6476
6. Name of applicant Attar Engineering, Inc. Mailing address: 1284 State Rd, Eliot Phone #207-439-6023 If corporation, name of agent: Michael J. Sudak, E.I.
7. A complete statement of any easements relating to the property is attached hereto

(if none, so state):See attached boundary survey

8. Deed or deeds recorded at County Registry of Deeds

Date:6/22/18 Book:#17738 Page #405

Date:10/01/21 Book #18823 Page #301

Date _____ Book # _____ Page # _____

9. Do the owner and/or applicant have an interest in an abutting property as stated on the attached sheet? No
10. Name, address and license # of Engineer, Land Surveyor, Architect, or Planner:
Kenneth A. Wood, P.E. #5992
11. Preliminary plan covers: N/A, Sketch
12. If applicable, has the owner and/or applicant been approved for a MaineDOT driveway permit for the installation, physical change or change of use a driveway located on a State highway? No
13. Does owner propose to submit Final Subdivision Plan to cover the entire Preliminary Plan, or to file same in sections? No
If so, how many? _____
14. Does the preliminary plan cover the entire contiguous holdings of the applicant? Yes
15. Entrances onto existing or proposed collector streets do not exceed a frequency of one per 400' of street frontage? Yes No
16. Entrances onto existing or proposed arterial streets do not exceed a frequency of one per 1000' of street frontage? Yes No
17. A distance of at least 200' is maintained between centerlines of offset intersecting streets? Yes No
18. Does the applicant propose to dedicate to the public all streets, highways and parks shown on the plan? No

CASE NO. _____

19. Give the number of acres which the applicant proposes to dedicate to public to use for park, playground and/or other purposes: N/A

20. If any waivers of requirements are to be requested, list them on a separate sheet, referencing the Sections in Chapter 41 and give reasons why such requirements should be waived . See attached cover letter

21. Is the property located in a flood zone? No

If yes, please complete the attached Flood Hazard Development Application and return it with your application.

Subdivider shall submit fees as specified in Sections 1-25 in the amount of \$200/lot prior to the second meeting with the Planning Board. Fees are not refundable.

Applicant signature _____ Date _____

Owner signature _____ Date _____

Planning Assistant _____ Date _____

FEES:	
Major subdivision	\$200 per lot
Minor subdivision	\$200 per lot

**Town of Eliot Planning Board
CHECKLIST FOR A SUBDIVISION APPLICATION
(All items will be reviewed unless otherwise noted or NA)**

- The owner of the property is J & J's Pathfinder, LLC.
- The applicant is J & J's Pathfinder, LLC who has demonstrated a legal interest in the property by providing: Warrant Deed
- Agents for the applicant are: Attar Engineering, Inc.

- The property is located at 178 H.L Dow , in the C/I zoning district, identified as Assessor's Map 29 , Lot 20 , and containing 3.0 acres
- Application is for establishment of (new) (modification to existing) Major/Minor Subdivision.
- Existing Subdivision was approved by the Planning Board on N/A.
- The name of the proposed subdivision is _____ and it will contain _____ lots which range in size from _____ acres to _____ acres and are shown on Plan No. _____, dated _____
- Easements and/or Rights of Way affected by or within the proposed subdivision are as follows:
 - a. 25'W access easement, YCRD DB 14756 BK 140.
 - b. 30' W utility easement, YCRD DB 4758 BK 142.
 - c. Town sewer expansion easement, variable width.
- Entrances onto existing or proposed collector streets do not exceed a frequency of one per 400' of street frontage? Entrances onto existing or proposed arterial streets do not exceed a frequency of one per 1000' of street frontage? Yes
- Owner/applicant has been approved for a driveway permit from MaineDOT for the installation, change or change of use on any State highway, if applicable? No
- Lots within the proposed Subdivision will have (private) (public) water supply and (private) (public) (private central) sewage disposal systems.
- Sketch Plan was accepted by the Planning Board on TBD
- Preliminary Plan approved by Planning Board on N/A
- A Site visit was conducted on TBD
- A public hearing was held on N/A

- _____ abutters spoke or submitted written correspondence at the Public Hearing or submitted written correspondence by mail.

CASE NO. _____

- _____ members of the public spoke or submitted written correspondence at the Public Hearing or submitted written correspondence by mail.
- The application was discussed by the Planning Board on TBD, _____, _____, _____.
- Plan for minimizing surface water drainage (Section 41-213) submitted: (Yes) (No) (Waiver requested).
- Soil Erosion and Sediment Control Plan (Section 41-214) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Statement or plan showing effect upon air quality (Section 41-212) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Soils Report and High Intensity Soils Survey [Section 41-150(11)] submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Location of all natural features or site elements to be preserved (Section 41-215) identified: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Statement or plan concerning historical sites and land use patterns (Section 41-216) submitted: (Yes) (No) (Waiver requested).
- Means of providing water supply to the proposed subdivision (Section 41-217) identified: (Yes) (No) (Waiver requested).
- Sanitary sewerage system (Section 41-218) identified: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Community services and impact statement (Section 41-220) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Traffic congestion and safety plan (Section 41-221) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Public health and safety statement (Section 41-222) submitted: (Yes) (No) (Waiver requested).
- Compliance with Federal, State, and Local land use laws (Section 41-223) demonstrated: (Yes) (No).
- (Optional for Minor Subdivision)* Estimated Progress schedule [Section 41-150(21)] submitted: (Yes) (No) (Waiver requested).
- Adequate financing (Section 41-224) demonstrated: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision)* Water Department approval provided for public water service [Section 41-174 (1)]
- (Optional for Minor Subdivision)* State of Maine, Department of Human Services approval for central water supply system provided [Section 41-174 (2)]

CASE NO. _____

Soil Scientist approval for individual wells provided [Section 41-174 (3)]: (Yes) (No)

Proposed subdivision Plan reviewed by the Department of Environmental Protection:
(Yes) (No) (Waiver requested).

Proposed subdivision Plan reviewed by the Department of the Army, Corps of
Engineers: (Yes) (No) (Waiver requested).

Proposed subdivision Plan reviewed by the York County Soil and Water
Conservation District: (Yes) (No) (Waiver requested)

Other _____

From: [Mike Sudak](#)
To: "Planner"
Cc: [Parker Deptula](#); [Jessica Cyr](#); [Ken Wood](#); [Shelly Bishop](#); [Michael Sullivan](#); [Kim Tackett](#)
Subject: RE: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application
Date: Tuesday, February 20, 2024 1:33:00 PM

Great, thank you for clarifying Jeff.

Mr. Sullivan I will be conferring with my Clients on this matter and will be reaching out to you directly once we come to a decision on how to proceed with the existing easement.

Thank you!

-Mike

From: Planner <jbrubaker@eliotme.org>
Sent: Tuesday, February 20, 2024 1:29 PM
To: Mike Sudak <mike@attarengineering.com>
Cc: Parker Deptula <parker@attarengineering.com>; Jessica Cyr <Info@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Kim Tackett <ktackett@eliotme.org>
Subject: RE: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application

Mike,

You would want to contact Mike Sullivan, copied here. The property is a recent tax-acquired property.

Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>
Sent: Tuesday, February 20, 2024 1:08 PM
To: Planner <jbrubaker@eliotme.org>
Cc: Parker Deptula <parker@attarengineering.com>; Jessica Cyr <Info@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Kim Tackett <ktackett@eliotme.org>
Subject: RE: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application

Good Afternoon Jeff,

Feeling much better this week, I appreciate the well wishes.

Thank you for the reply and your opening thoughts. Once you get further into your initial review I'd be happy to visit Town Hall and have a sit-down similar to what we've done in the past.

All of your responses are understood, I will forward these over to my Clients and get some answers back to you in short order.

I have one follow-up question about the first bullet point: The abutting parcel (assumedly TM/L 29/37) being Town-owned is news to me – is this a recent occurrence? The Town GIS service still shows “Prime Storage Eliot LLC” on the Property Card. At any rate, if a widening ends up being desired who from the Town would I/my Clients need to contact to consider executing a new easement or updating the current one?

Thanks Jeff,
-Mike

From: Planner <jbrubaker@eliotme.org>
Sent: Tuesday, February 20, 2024 9:39 AM
To: Mike Sudak <mike@attarengineering.com>
Cc: Parker Deptula <parker@attarengineering.com>; Jessica Cyr <Info@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Kim Tackett <ktackett@eliotme.org>
Subject: RE: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application

Good morning Mike,

Thanks for your contact, and I hope you have rounded the corner with the flu and are feeling better this week.

I have yet to do a more comprehensive initial review, but some initial responses to your questions:

- Widening access easement: The sketch plan should have a preliminary design of the street connection to Beech Rd. [33-105]. After the site walk, the PB would classify the street [33-103]. This is in the C/I zone, but that may not necessarily mean it will be a C/I street classification. This is a somewhat unique proposal (for Eliot) – commercial-residential mixed-use – and 33-103, 37-69, and 37-70 (if not other sections) all suggest or convey authority for the PB to classify the street. Overall, I expect that this street connection to Beech will play an important role in the review, so I am glad to see it prioritized in your cover letter. This is dependent on what the easement allows and the potential widening of the easement, if needed. A further nuance, of course, is that this adjacent parcel is now Town-owned.
- TIA: Since this is a subdivision proposal, the TIA should at least address the applicable requirements of [41-221](#). In my opinion, the driveway access out to 236 will be one important component for the TIA to review, in particular with regard to sight distance and left turns into/out of the development, e.g. delay, safety, interaction with Levesque Dr. movements, etc.
- Landscaping: Generally, in this initial look, those sections [33-175 and 41-311] will be the key ones, but there may be other landscaping requirements that come into play as the review progresses. I generally agree that any front-buffer requirements along Route 236 should be

reviewed with deference to the existing wetlands.

- Understood regarding your interest in a waiver of 41-310(d). That will be up to PB discussion. What I would like to gauge from you for now is whether you might consider the waiver only applying to some units, e.g. that some units would be limited to 1,200 GFA or less. The impetus being to provide some diversity of housing types through 1 or more units being size-limited per 41-310(d).

Can you say more about the type of elderly housing proposed? Would they be constructed, operated, or financed wholly or partially with state or federal funds?

All for now,
Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>
Sent: Monday, February 19, 2024 1:30 PM
To: Planner <jbrubaker@eliotme.org>; Kim Tackett <ktackett@eliotme.org>
Cc: Parker Deptula <parker@attarengineering.com>; Jessica Cyr <Info@attarengineering.com>; Ken Wood <Ken@attarengineering.com>
Subject: RE: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application

Good Afternoon Jeff,

I know the Town Office is likely closed today but I wanted to get this email over to you all the same. I meant to get it out last week but came down with the flu which kicked my behind for a majority of the week.

At any rate, I wanted to follow up on the 178 H.L.Dow submission from a few weeks ago and open the lines of communication between us as you begin your review of the application materials. It's been a little while since I've been before Eliot's Board with an application and in reviewing my notes from past projects it looks like there was quite a bit of discussion that took place at the Sketch review stage. This application has a few items floating out there that I think would benefit from additional discussion to have you and I on the same page, and also to keep the approvals process as streamlined as possible.

My shortlist off the top of my head:

- Widening of the existing 25' access easement crossing TM/L 29/37 to Beech Road. What sort of progress would the Town/Board expect to see at the Sketch level, and then at the time of full SPR submission?
- Potential Traffic Impact Analysis of the existing Route 236 entrance, which would be improved through this development. What sort of detail would the Town/Board expect at Sketch, and in

your opinion would a full TIA be a likely requirement for full Site Plan Review?

- Landscaping Requirements, from a few different sections for this application:
 - Rearyard visual screening per §33-175.(a), since this parcel abuts the Suburban Zoning District
 - Frontyard vegetative cover per §33-175.(b), though this is partially discussed in the submitted cover letter by mention of the existing wetlands within the frontyard setback. This point could also be aided/supplemented by the to-be-scheduled site walk.
 - Use-specific landscaping per §41-311, for visual screening from parking that serves the Elderly Housing use. All parking specific to this use is located in the front of the dwelling units (or within covered garages), so visual screening will be accomplished by the structures themselves. Since this is proposed to be a dual use parcel with commercial uses and commercial-use parking being retained, we can discuss whether this provision would apply to screening of the commercial-use parking spaces.
- Narrative in support of the requested waiver for §41-310.(d), for maximum allowable gross square footage for Elderly Housing units. I wanted to share that my Client has contracted a residential architect for this proposed development, so if you feel that a more robust narrative in support of this waiver request is needed at this time, we can have one prepared and submitted.

Thanks Jeff – looking forward to hearing from you.

Take care,

-Mike

From: Planner <jbrubaker@eliotme.org>

Sent: Thursday, February 8, 2024 3:56 PM

To: Mike Sudak <mike@attarengineering.com>; Kim Tackett <ktackett@eliotme.org>

Cc: Parker Deptula <parker@attarengineering.com>; Jessica Cyr <Info@attarengineering.com>

Subject: RE: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application

Thank you, Mike. Looking forward to working with you as well!

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>

Sent: Thursday, February 8, 2024 3:46 PM

To: Planner <jbrubaker@eliotme.org>; Kim Tackett <ktackett@eliotme.org>

Cc: Parker Deptula <parker@attarengineering.com>; Jessica Cyr <Info@attarengineering.com>

Subject: 178 H.L. Dow Highway - J&J Elderly Housing Development Sketch Application

Good Afternoon Jeff, Kim,

Attached please find the electronic version of the application package that was just delivered to your office.

Please let me know if you have any questions or concerns as you begin review. Looking forward to working with you and the Board again, Jeff!

Thanks and take care.

-Mike

Michael J. Sudak, E.I.
Civil Engineer
Attar Engineering, Inc.
1284 State Road
Eliot, Maine 03903
Ph: (207) 439-6023
Fax: (207) 439-2128
Cell: (978) 317-3398

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

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NARRATIVE

PROPOSED ELDERLY HOUSING (OVER 55) UNITS, DEVELOPMENT AT 178 HAROLD L. DOW HIGHWAY

(8) Units are proposed at this property, along with an expansion of the existing Commercial Building.

The Units proposed are 1,940sf, in excess of the allowed 1,200sf under the Elderly Housing provisions.

However, the Units have been designed specifically for Active Adults, over 55 years old, who are interested and able to live independently, but accept the possibility of losing mobility as age progresses.

The design of the Units is split into (2) zones. The 1st Floor, 980sf, with all Living spaces and the primary Bedroom and Bathroom, is fully accessible. All doors would be 3' wide and slab (to frost walls) construction allows for ADA access from the exterior grade and Garage, without recourse to ramps. This floor is the main, everyday living space of the Unit.

The 2nd Floor, 960sf, has (2) Bedrooms. It is assumed that one of these rooms would be used for a Home Office for Full, or Part time work. The other Bedroom would be available for occasional guests, being friends or relatives.

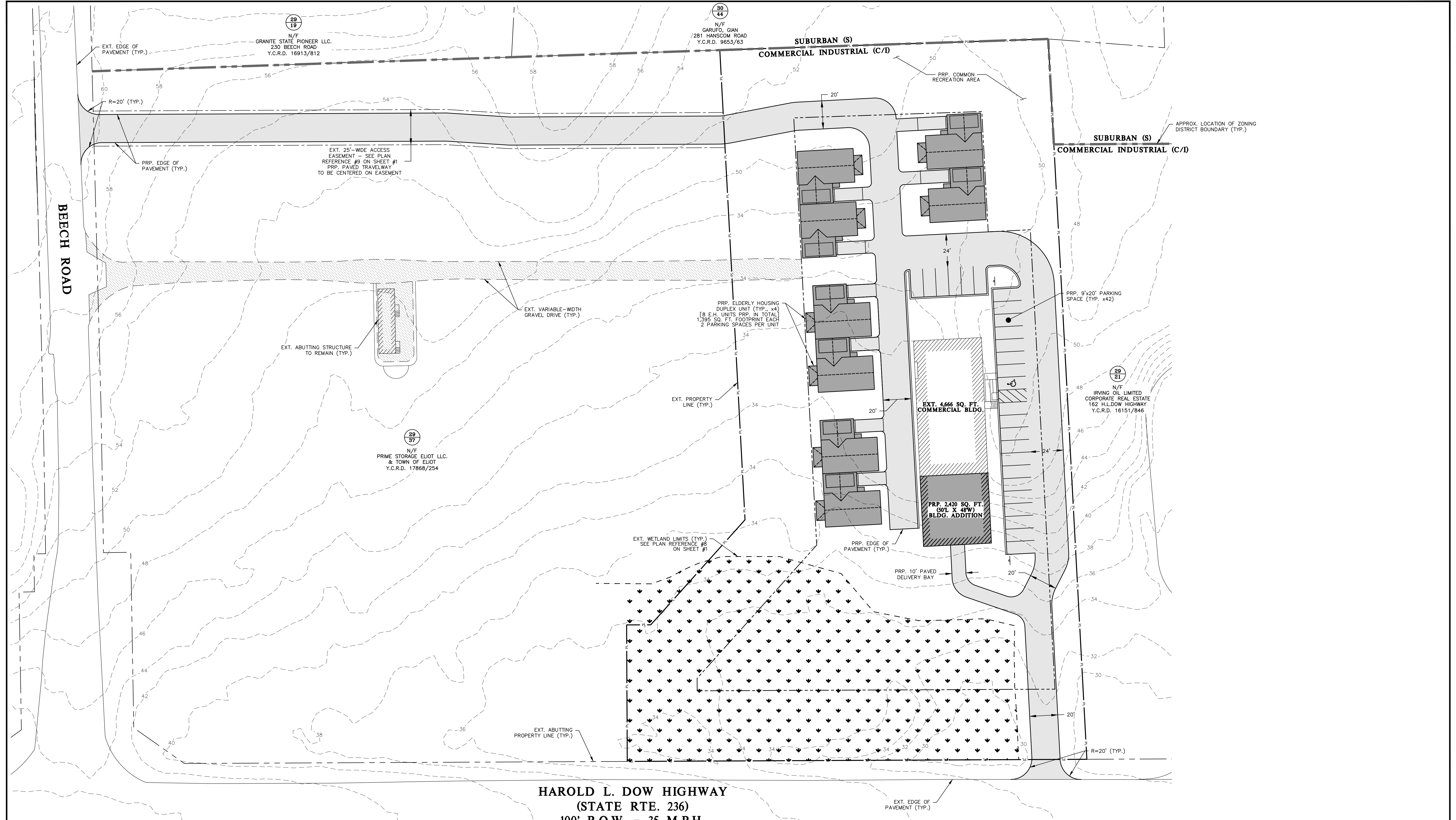
The Floor "stacking" approach allows for greater Construction and Thermal efficiency.

Residents would be able to enjoy the perks of communal maintenance and proximity to a Commercial Building principally housing Medical Therapists.

It is the intention to appeal to members of the community who have raised and educated their children and are looking to downsize but realize the need to look toward a future of restricted mobility as part of the ageing process. This to be done independently within the context of a small, efficient community property.

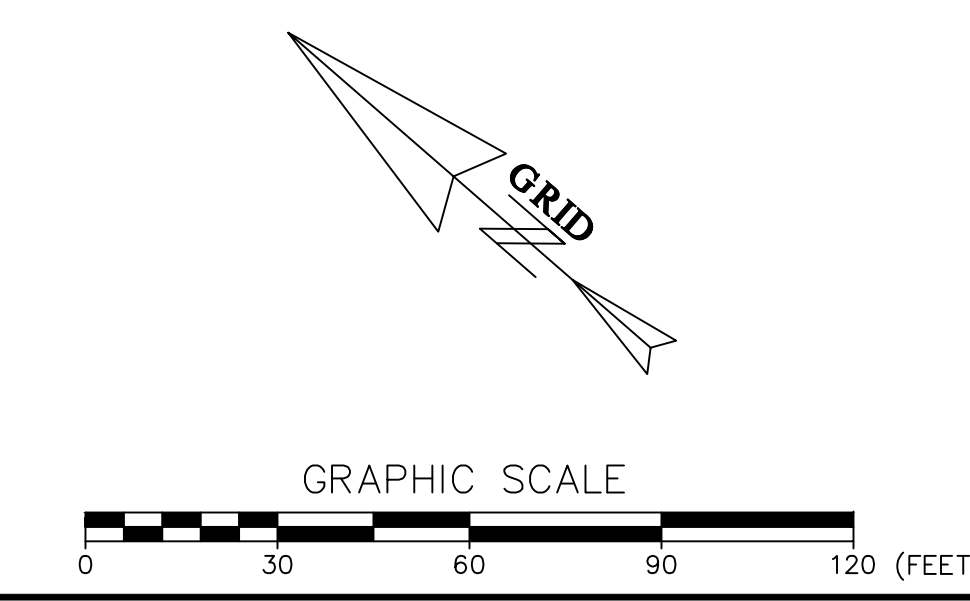
To encourage and support an "active" lifestyle, it is proposed a Pickle Ball Court could be built in the rear. However this space could be used for many activities.

Another possibility is a Community Garden. The area's use could morph over time to meet the needs/desires of the Unit occupants



**HAROLD L. DOW HIGHWAY
(STATE RTE. 236)
100' R.O.W. - 35 M.P.H.**

REVIEW PRINT-NOT FOR CONSTRUCTION
TAX MAP 29, LOT 20



NO.	DESCRIPTION	DATE

OVERALL DEVELOPMENT PLAN ELDERLY HOUSING DEVELOPMENT 178 HAROLD L. DOW HIGHWAY, ELIOT ME		
FOR: J&J'S PATHFINDER, LLC. 402 THE HILL PORTSMOUTH, NH 03801		
ATTAR ENGINEERING, INC. CIVIL • STRUCTURAL • MARINE • SURVEYING 1284 STATE ROAD - ELIOT, MAINE 03903 PHONE: (207)439-6023 FAX: (207)439-2128		
SCALE: 1" = 30'	APPROVED BY:	DRAWN BY: MJS
DATE: 03/13/24		REVISION DATE: - - -
JOB NO: C331-22	FILE: MCSHARRY EH BASE.DWG	SHEET: 2



ATTAR

ENGINEERING, INC

CIVIL STRUCTURAL MARINE

Mr. Jeffery Brubaker, AICP, Town Planner
Town of Eliot, Maine
1333 State Road
Eliot, Maine 03903

February 8th, 2023
Project No. C331-22

**RE: Sketch Plan Application
J & J's Pathfinder, LLC (Tax Map 29, Lot 20)
178 Harold L. Dow Highway (State Route 236), Eliot, Maine**

Dear Mr. Brubaker:

On behalf of the lot owner/applicant, J & J's Pathfinder, LLC, I have enclosed a Sketch Plan Application and supporting documents for your review and consideration.

The 3.0 acre site is located at 178 Harold L. Dow Highway, and is currently developed as a two-story, 4,666 square foot commercial office facility with accompanying gravel parking which wraps around the rear of the building. Parking along the south side of the building directly accesses the upper floor while parking along the north side of the building accesses the basement floor. The gravel entrance connects parking to Harold L. Dow Highway in the southern corner of the site, and a gravel access easement connects parking to Beech Road northwest of the site through the abutting property of Tax Map 20 Lot 37. The site is located in the Commercial/Industrial Zoning District and abuts the Suburban District in the rear. This parcel previously received Sketch Application for another proposed use in 2022, which is being replaced by this application.

The Applicant proposes to construct a 2-story, 2,420 square feet addition on the southwest side of the existing building, and eight, 2-story Elderly Housing units. Each unit occupies 1,395 square feet, and units are arranged in duplexes. The proposed site will utilize both the Beech Road and Route 236 entrances for access. An expansion of the current access easement onto Beach Road and any required improvements to the entrance from Route 236 shall be explored for full Site Plan Review. The addition to the existing building will extend the current facility 50' toward Harold L. Dow Highway while maintaining the 46.4 ft building width. The proposed Elderly Housing units measure 24'x40' in addition to an attached garage and porch.

The existing commercial facility will remain with both the upper floor and basement floor supporting the current tenants and uses. An interior floor plan is attached and the parking calculation for this building is provided in the Plan Set. A total of 17 parking spaces are required for the commercial office facility and 26 are provided, including 1 ADA space. The Elderly Housing units require 8 parking spaces and 16 are provided. The calculated lot coverage was 13.96%, which is within the allowed maximum of 35%.

An existing wetland complex inhabits the frontyard setback of the parcel and provides a vegetated cover within this area. A medium-intensity soil survey prepared from York County resources is attached. The development is required to be serviced by both municipal water and sewer. The existing development is serviced by a septic holding tank and private force main, with the intent for this system to be utilized for the proposed development until such a time that

the municipal sewer extension is available for this parcel and these uses to connect.

The Applicant shall be requesting a single waiver with this application – specifically for the Elderly Housing requirements of §41-310.(d). This provision specifies a maximum allowable gross square footage of 1,200 for each Elderly Housing unit. The units proposed with this development occupy 1,395 square feet in footprint and yield 1,800 square feet in gross floor area. A supporting narrative for this waiver request can be discussed at the Planning Board meeting and in subsequent full Site Plan Review applications. The Applicant believes that units of the proposed size would be appropriate for the size and scale of the development and humbly asks the Town and Planning Board to consider granting the request during the approvals process.

We look forward to discussing this project with the Planning Board at their next available meeting. Please contact me for any additional information or clarifications required.

Sincerely;

A handwritten signature in black ink, appearing to read "Michael J. Sudak". The signature is fluid and cursive, with a large initial "M" and "S".

Michael J. Sudak, E.I.
C331-22 Cover 08Feb2024.doc

Case No. _____ Site review? Yes <input type="radio"/> No <input checked="" type="radio"/>
--

**APPLICATION FOR SITE PLAN REVIEW
TOWN OF ELIOT PLANNING BOARD**

Step 1. (Fill in all blocks below - See the Planning Assistant if you don't understand.)

Tax Map 29 Lot# 20 Lot Size 3 Acres Zoning District: Commercial/Industrial
Michael J. Sudak, E.I.

Your Name Attar Engineering, Inc. Your mailing address 1284 State Road

City/Town Eliot State: ME Zip: 03903 Telephone: 207-439-6023

Who owns the property now? J & J's Pathfinder, LLC

Address (Location) of the property 178 Harold Dow Highway

Property located in a flood zone? Yes No
(If yes, please complete the attached Flood Hazard Development Application and return it with your completed application)

Step 2 (establish your legal interest in the property)

Attach a copy of the Purchase and Sales Agreement, Deed, Tax records, Signed Lease, or other documents to the satisfaction of the Planning Assistant. If you are representing a corporation, provide documentation that you have authority to speak for the corporation.

Step 3 (Go to the Zoning Ordinance Section 45-290, Table of Land uses)

What SPECIFIC land use are you applying for? Commerical establishment & elderly housing mixed use (You MUST make this selection from Section 45-290 of the Zoning Ordinance)

Having entered the SPECIFIC land use above now provide a more detailed description of what you want to do:

See cover letter

Case No. _____
Site review? Yes No

Step 4 Attach ten (10) copies of a sketch plan, showing in approximate dimensions the following:

- All zoning districts
- The location of all existing and/or proposed buildings
- The setbacks of all existing and proposed structures or uses.

- The location of proposed signs, their size, and direction of illumination.

- The location of all existing and/or proposed entrances and exits.

- All existing and/or proposed parking areas (parking is permitted in the front, rear and side of the premises, so long as it does not violate setback requirements.)

- Plans of buildings, sewage disposal facilities, and location of water supply.

Step 5 Sign the application (both owner and applicant must sign and date the application) and submit fee with preliminary plans (\$100 per acre for first 5 acres and \$50 per acre after five plus \$150 for advertising and public hearing fees)

Applicant Michael J. Sudak Agent Date 2/8/24

Property Owner _____ Date _____

Step 6 Application received by Planning Assistant

Date received by the PA _____ PA initials _____

Step 7 The Planning Assistant will review the application and if complete, will place your application on a future Planning Board agenda

Step 8 The applicant or representative of the applicant must attend the Planning Board meeting

PART 1 - THE PROCEDURE

Case No. _____

Site review? Yes No

(STEP 1) Meet with the Planning Assistant to assure that Site Review is required. Obtain application forms and assemble data for submission.

(STEP 2) Sketch Plan Stage Application submission. Include 10 copies of the sketch plan, survey map, location map, and affidavit of ownership or legal interest. (Section 33-63)

(STEP 3) Applicant attends first meeting with Planning Board, describes project, and answers questions (*Board may review checklist for the Site Plan at this time or act on waivers requested for submission of data*)

(STEP 4) Board sets up site visit with applicant (Section 33-64).

(STEP 5) Board visits site with applicant.

(STEP 6) Applicant attends succeeding meetings. Board does preliminary review of the Ordinance requirements for applicability to the Site Plan. Board and notifies applicant of changes required to Sketch Plan after site inspection (Section 33-103).

(STEP 7) Applicant revises the "Sketch Plan" as needed, submits the Site Plan, and pays non-refundable fees prior to the second Planning Board meeting. (Sections 33-126 & 33-128).

(STEP 8) Site Plan Stage Applicant attends succeeding meetings with Planning Board and discusses Site Plan (Section 33-129) until Board votes to accept the Site Plan (Section 33-126) *Board schedules public hearing for future meeting when all requirements have been or will be met.*

(STEP 9) Board conducts Public Hearing (Section 33-130).

(STEP 10) Approval stage Board approves / approves with conditions / disapproves applicants application within 30 days of the close of the final Public Hearing or 75 days from date Board accepted completed application and Site Plan (Section 33-131). If more than one public hearing is held, the 30-day period begins after the last public hearing.

(STEP 11) Board issues a Notice of Decision, which contains findings certifying compliance with ordinance, reasons for conditional approval or reasons for disapproval (Section 33-131). The Notice of decision and signing of the final plan is for documentation purposes and does not determine the beginning of the appeal period.

(STEP 12) Appeal Period A 30-day appeal period begins from the date the Board makes a decision on the application. (Section 45-50) The applicant may begin work on the project during this period, but does so at his or her own risk.

PART 2

Case No. _____

Site review? Yes No

DETAILED ORDINANCE REFERENCES FOR EACH SITE REVIEW EVENT

1. Submit application. (Section 33-63) Include 10 copies of all submissions that show:

- Sketch Plan- (See Section 33-105) showing:
 - All zoning districts
 - Existing and proposed structures
 - Existing and proposed parking areas (parking is permitted in the front, rear and side of the premises, so long as it does not violate setback requirements.)
 - Existing and proposed Streets and entrances
 - Existing and proposed setbacks
 - Other site dimensions and area
 - Site and public improvements and facilities
 - Areas of excavation and grading
 - Any other site changes
 - Location Map-This is to be submitted along with or as part of the Sketch Plan (See Section 33-104) and includes:
 - Scale of 500 ft to the inch
 - Show all area within 2000 ft of property lines
 - All surrounding existing streets within 500 ft
 - Abutters lots and names within 500 ft of property boundary
 - Zoning districts within 500 ft
 - Outline of proposed development showing internal streets and entrances

2. Site inspection (Section 33-64) The Board and Applicant conduct site inspection. Applicant shall stake the lot corners, the location of all proposed structures, parking and the centerlines of all proposed streets and entrances in development. Verify that parking meets applicable setbacks

3. Board notifies applicant of changes required to Sketch Plan after site inspection such as contour interval, street classification, etc. (Section 33-103) and determines:

If other Local, State or Federal agencies or officers (Section 33-102) should review Sketch Plan.

If applicable, MaineDOT driveway permit is **required** prior to local approval for anyone installing, physically changing or changing the use of a driveway on state highway.

If review by Eliot Fire Chief ____, Police Chief ____, or Road Commissioner ____ is required.

Case No. _____

Site review? Yes No

4. Applicant converts Sketch Plan into a "Site Plan" (Sections 33-126). The following requirements are considered by the Planning Board

Chapter 33 required information

4.1. Applicant shall provide one original and 10 copies of Site Plan drawn at a scale not smaller than 1-inch equals 20 feet showing the following information:

- 4.1.1. Development name, owner, developer, designer name and address and names and addresses of all abutters and abutters land use.
- 4.1.2. Certified perimeter survey showing a north arrow, graphic scale, corners of parcel, total acreage, etc. This means a survey of the property using the standards of practice established by the State of Maine Board of Licensure for Professional Land surveyors, MRSA Chapter 121.
- 4.1.3. Temporary markers.
- 4.1.4. Contour lines at 5-ft intervals or as Board decides.
- 4.1.5. A list of the provisions of Chapter 45 (Zoning) which are applicable to this area and identification of any zoning district boundaries affecting the development.
- 4.1.6. Storm water Drainage Plan. (50 year storm)
- 4.1.7. Required bridges or culverts.
- 4.1.8. Location of natural features or site elements to be preserved.
- 4.1.9. Soil Erosion and Sediment Control Plan.
- 4.1.10. High Intensity Soils Report.
- 4.1.11. Locations of sewers, water mains, culverts and drains.
- 4.1.12. Water supply information.
- 4.1.13. Sewerage System Plan.
- 4.1.14. Septic System Survey.
- 4.1.15. Estimated progress schedule.
- 4.1.16. Construction drawings for CEO which show floor areas, ground coverage, location of all structures, setbacks, lighting, signs, incineration devices, noise generating machinery likely to generate appreciable noise beyond the lot lines, waste materials, curbs, sidewalks, driveways, fences, retaining walls, etc.
- 4.1.17. Telecommunication tower details as required.

4.2. Additional requirements made by Board (Section 33-126).

Other Chapter 33 Site Review Ordinance Requirements.

- 4.4. Traffic data if applicable (Section 33-153)
- 4.5. Campground requirements if applicable (33-172)
- 4.6. Commercial Industrial requirements if applicable
 - 4.6.1. Landscaping (Section 33-175)

Case No. _____

Site review? Yes No

- 4.6.2. Vibration (33-176)
- 4.6.3. Site Improvements (33-177)
- 4.6.4. Electromagnetic Interference (33-178)
- 4.6.5. Parking and Loading Areas (33-179, 45-487, 45-495)
- 4.6.6. Glare (33-180)

- 4.7. Motel requirements if applicable (Section 33-182)
- 4.8. Multi-family dwelling requirements if applicable (Section 33-183)

Chapter 35 Post-Construction Stormwater Management

Disturbance of more than one acre of land or less than one acre if the development is part of a larger common plan for development must comply with Chapter 35 Post – Construction Stormwater Management.

Chapter 45 Zoning Ordinance Requirements. compliance includes the following Article VIII Performance Standards:

- 4.9. Dimensional Standards (Section 45-405)
- 4.10. Traffic (Section 45-406)
- 4.11. Noise (Section 45-407)
- 4.12. Dust, Fumes, Vapors and Gases (Section 45-408)
- 4.13. Odor (Section 45-409)
- 4.14. Glare (Section 45-410)
- 4.15. Storm-water run-off for a 50 year storm. (Section 45-411)
- 4.16. Erosion Control (Section 45-412)
- 4.18. Preservation of Landscape (Section 45-413)
- 4.19. Relation of Buildings to Environment (Section 45-414)
- 4.20. Soil Suitability for Construction (Section 45-415)
- 4.21. Sanitary Standards for Sewage (Section 45-416)
- 4.22. Buffers and Screening (Section 45-417)
- 4.23. Explosive Materials (Section 45-418)
- 4.24. Water Quality (Section 45-419)
- 4.25. Refuse Disposal (Section 45-421)

- 4.26. Specific Activities (Article IX) which include:
 - 4.26.1. Accessory Use or Structure (Section 45-452)
 - 4.26.2. Home Occupation (Section 45-455)
 - 4.26.3. Mobile Homes (Section 45-457)
 - 4.26.4. Off-street Parking and Loading (Article X)
 - 4.26.5. Signs (Article XI)

- 4.27. In addition the Board may make other conditions for approval that will insure such compliance and would mitigate any adverse affects on adjoining or neighboring properties which might otherwise result from any proposed use (Section 33-131).

Case No. _____

Site review? Yes No

5. Board discussion of Site Plan (Section 33-126).

5.1. Board discusses Site Plan with applicant.

6. Public Hearing (Section 33-129 & 130).

6.1. Conducted within 30 days of Boards acceptance of Site Plan.

6.2. Three notices posted 10 days prior to the Public Hearing.

6.3. Notices advertised in two newspapers 10 days prior to Public Hearing.

6.4. Other Towns notified 10 days prior to if within 500 feet of applicant's lot.

6.5. Abutters notified 10 days prior to by certified mail, return receipt requested. \$150.00 paid by applicant to cover the cost of advertising and abutter notification (Sec. 1-25)

6.6. Selectmen, CEO, and Board of Appeals shall be notified 10 days prior to the Public Hearing.

7. Board approves / approves with conditions / disapproves applicants Application within 30 days of Public Hearing or 75 days from date Board accepted completed Application and Site Plan (Section 33-131).

Note: Computation of time shall be in accordance with Section 1-2 as follows:

"In computing any period of time prescribed or allowed by this Code, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation."

8. Notice of Decision issued which contains findings certifying compliance with ordinance, reasons for conditional approval or reasons for disapproval (Section 33-131).

J & J Pathfinder, LLC
402 The Hill
Portsmouth, NH 03801
603-498-6476

Jeffrey Brubaker
Town of Eliot Maine
1333 State Rd, Eliot, ME 03903

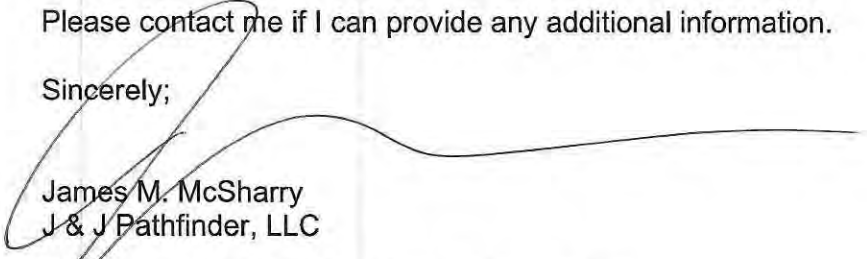
January 23rd, 2024

Dear Mr. Brubaker,

Please be informed that Kenneth A. Wood, P.E., and other assigned Attar Engineering, Inc. staff will be acting as my agents for the applications and permitting of my project at 178 Harold Dow Highway.

Please contact me if I can provide any additional information.

Sincerely;



James M. McSharry
J & J Pathfinder, LLC

cc: Kenneth A. Wood, P.E., Attar Engineering, Inc.

DLN:1001840030571

Maine R.E. Transfer Tax Paid

Warranty Deed

Know all men by these presents that we, **R. NIVEN DAMON** and **JACQUELINE Z. DAMON**, of Eliot, County of York and State of Maine, with a mailing address of 1638 State Road, Eliot, ME 03903, for consideration paid, grant to **PATHFINDER BUSINESS OFFICES, LLC**, a Maine limited liability company having a mailing address of 33 Creekview Dr., Eliot, ME 03903, with **Warranty Covenants**, the real property in Eliot, County of York and State of Maine, together with the buildings located thereon, bounded and described as follows:

See **EXHIBIT A** attached hereto and incorporated herein by reference.

Being a portion of the premises conveyed to R. Niven Damon and Jacqueline Z. Damon by deed of Henry L. DeWildt and Elinor M. DeWildt dated October 23, 1987 and recorded in the York County Registry of Deeds in Book 4507, Page 67. See warranty deed of R. Niven Damon and Jacqueline Z. Damon to Medical Environments LLC dated 2004 and recorded in said Registry of Deeds in Book 14239, Page 889 and corrective warranty deed of R. Niven Damon and Jacqueline Z. Damon dated February 13, 2006 and recorded in said Registry of Deeds in Book 14756. Page 140.

Dated this 21st day of June, 2018.

Signed, sealed and delivered in the presence of:



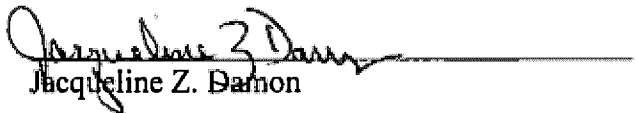
Witness



Witness



R. Niven Damon



Jacqueline Z. Damon

State of Maine
County of York, ss.

June 21, 2018

Then personally appeared the above named R. Niven Damon and Jacqueline Z. Damon and acknowledged the foregoing instrument to be their free act and deed.

Before me,



Dan W. Thornhill, Notary Public
My Commission Expires: 7/25/19

R. Niven Damon and Jacqueline Z. Damon to Pathfinder Business Offices, LLC

EXHIBIT A

A certain lot or parcel of land, together with the buildings thereon, located on the northeasterly side of Route 236, also known as Harold L. Dow Highway, shown as Lot 2 on a plan entitled "Plan of Land at 330 Beech Road, Eliot, Maine" by James Verra and Associates, Inc. dated February 7, 2006 and recorded in the York County Registry of Deeds in Plan Book 308, Page 15, as described on the attached stamped "Suggested Parcel Description" by James Verra and Associates, Inc. dated June 13, 2018.

ALSO CONVEYING a twenty-five foot (25') wide access easement as shown on the above-referenced plan extending from Beech Road to the premises herein conveyed.

SUBJECT TO a ten-foot wide Sewer Easement and a twenty-five foot (25') wide Construction Easement as shown on the above-referenced plan for the purpose of laying, constructing, operating, inspecting, maintaining, repairing, replacing, substituting, and removing a sewer pipeline for the transportation of sewage through said pipeline, at a location and on a route as shown on said plan.

The Sewer Easement is subject to the declaration of covenants, conditions, limitations, restrictions and easements set forth in warranty deed of R. Niven Damon and Jacqueline Z. Damon to Medical Environments LLC dated 2004 and recorded in the York County Registry of Deeds in Book 14239, Page 889 and in corrective warranty deed of R. Niven Damon and Jacqueline Z. Damon to Medical Environments LLC dated February 13, 2006 and recorded in said Registry of Deeds in Book 14756, Page 140.

SUBJECT TO a Grading and Drainage Easement as shown on the above-referenced plan, subject to the requirements of the Town of Eliot, the Maine Department of Environmental Protection, and any other applicable State, local or Federal laws or regulations.

ALSO, TOGETHER WITH AND SUBJECT TO the rights, benefits, obligations, easements, conditions, covenants, restrictions and notes as shown on the above-referenced plan and as set forth in the above-referenced deeds recorded in Book 4507, Page 67; Book 14239, Page 889; and Book 14756, Page 140 in the York County Registry of Deeds.

178 Harold Dow Highway
Eliot Map 29, Lot 20

\\realest\deeds\damon wd
12136-24287

June 13, 2018

Suggested Parcel Description

**178 Harold Dow Highway (Maine Route 236)
Eliot, Maine**

Prepared for R. Niven Damon & Jacqueline Z. Damon

A certain tract or parcel of land lying on the northeasterly side of Harold Dow Highway in Eliot, County of York, State of Maine, said tract being shown as Lot 2 on a plan prepared by James Verra and Associates, Inc., entitled, "Plan of Land, 330 Beech Road, Eliot, Maine, owner: Medical Environments, LLC, 21 Harold Dow Highway, Eliot, ME, 03903", dated 2-7-2006, recorded in the York County Registry of Deeds as Plan Book 308, Page 15, bounded and described as follows:

Beginning at the most southerly corner of said lot on the northeasterly side of said Harold Dow Highway, at land now or formerly of Irving Oil Corporation, said point bears North 28° 49' 10" West a distance of 19.76 feet and North 30° 00' 07" West a distance of 300.12 feet from an iron pipe found at the most southerly corner of land of said Irving Oil Company;

thence by said Harold Dow Highway North 29° 45' 20" West a distance of 327.19 feet to a point at land now or formerly Medical Environments., LLC;

thence by land of said Medical Environments, LLC on the following courses:

North 60° 14' 40" East a distance of 97.12 feet to a point;
South 29° 45' 20" East a distance of 17.19 feet to a point;
South 77° 33' 50" East a distance of 100.42 feet to a point;
North 57° 26' 06" East a distance of 334.71 feet to a point at land now or formerly of Gian Garufo;

thence by land of said Garufo South 31° 25' 42" East a distance of 233.79 feet to an iron rod found at land now or formerly of Donald W. and Christine M. Wallner;

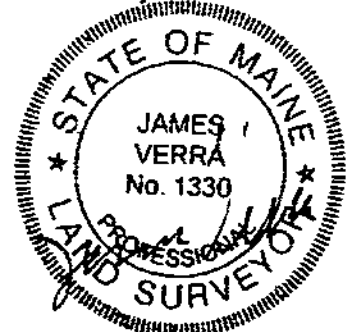
thence by land of said Wallner South 57° 21' 14" West a distance of 75.01 feet to a 1¼ inch iron pipe found at land of said Irving Oil Company;

thence by land of said Irving Oil Company South 57° 26' 06" West a distance of 438.27 feet to the true point of beginning;

Said parcel contains 3.00 acres.

Said description reflects conditions as of the date of the survey. Said tract benefits from and is subject to easements of record and easements as shown on the referenced plan.

Job No: 21653-2



DLN: 1002140164935

WARRANTY DEED

Know all by these presents that **PATHFINDER BUSINESS OFFICES, LLC**, a Maine limited liability company, with a mailing address of 33 Creekview Drive, Eliot, Maine 03903, for consideration paid, grant to **J & J'S PATHFINDER, LLC**, a New Hampshire limited liability company with a mailing address of 402 The Hill, Portsmouth, New Hampshire 03801, with **WARRANTY COVENANTS**, the real property situated in the Town of Eliot, County of York and State of Maine, described as follows:

See Exhibit A Attached Hereto

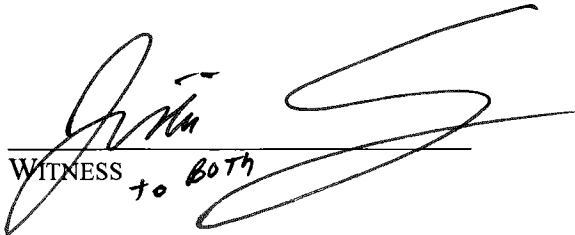
The current property address is 178 Harold L. Dow Highway, Eliot Tax Map 29, Lot 20.

IN WITNESS WHEREOF, the said **PATHFINDER BUSINESS OFFICES, LLC**, has caused this instrument to be signed in its company name, by **THOMAS PRAY AND CYNTHIA PRAY, ITS MEMBERS**, duly authorized, this 1st day of October 2021.

Signed, sealed and delivered in the presence of:

PATHFINDER BUSINESS OFFICES, LLC

By:


WITNESS *to BOTH*


THOMAS PRAY, MEMBER

WITNESS


CYNTHIA PRAY, MEMBER

Maine R.E. Transfer Tax Paid

STATE OF NEW HAMPSHIRE

Rockingham, ss.

October 15th, 2021

Then personally appeared the above named **THOMAS PRAY AND CYNTHIA PRAY** and severally acknowledged the foregoing instrument to be their free act and deed.

Before me,



Notary Public

Print Name:

Commission Expires:

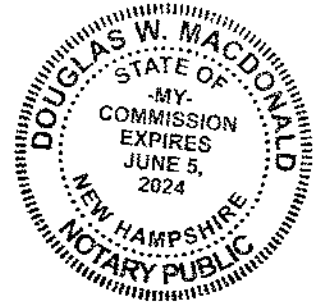


EXHIBIT A

Property Address: 178 Harold L. Dow Highway, Maine

A certain lot or parcel of land, together with the buildings thereon, located on the northeasterly side of Route 236, also known as Harold L. Dow Highway, shown as Lot 2 on a plan entitled "Plan of Land at 330 Beech Road, Eliot, Maine" by James Verra and Associates, Inc. dated February 7, 2006 and recorded in the York County Registry of Deeds in Plan Book 308, Page 15, as described on the stamped "Suggested Parcel Description" by James Verra and Associates, Inc., dated June 13, 2018 attached to the Warranty Deed recorded in Book 17738, Page 405 of the York County Registry of Deeds.

ALSO CONVEYING a twenty-five foot (25') wide access easement as shown on the above-referenced plan extending from Beech Road to the premises herein conveyed.

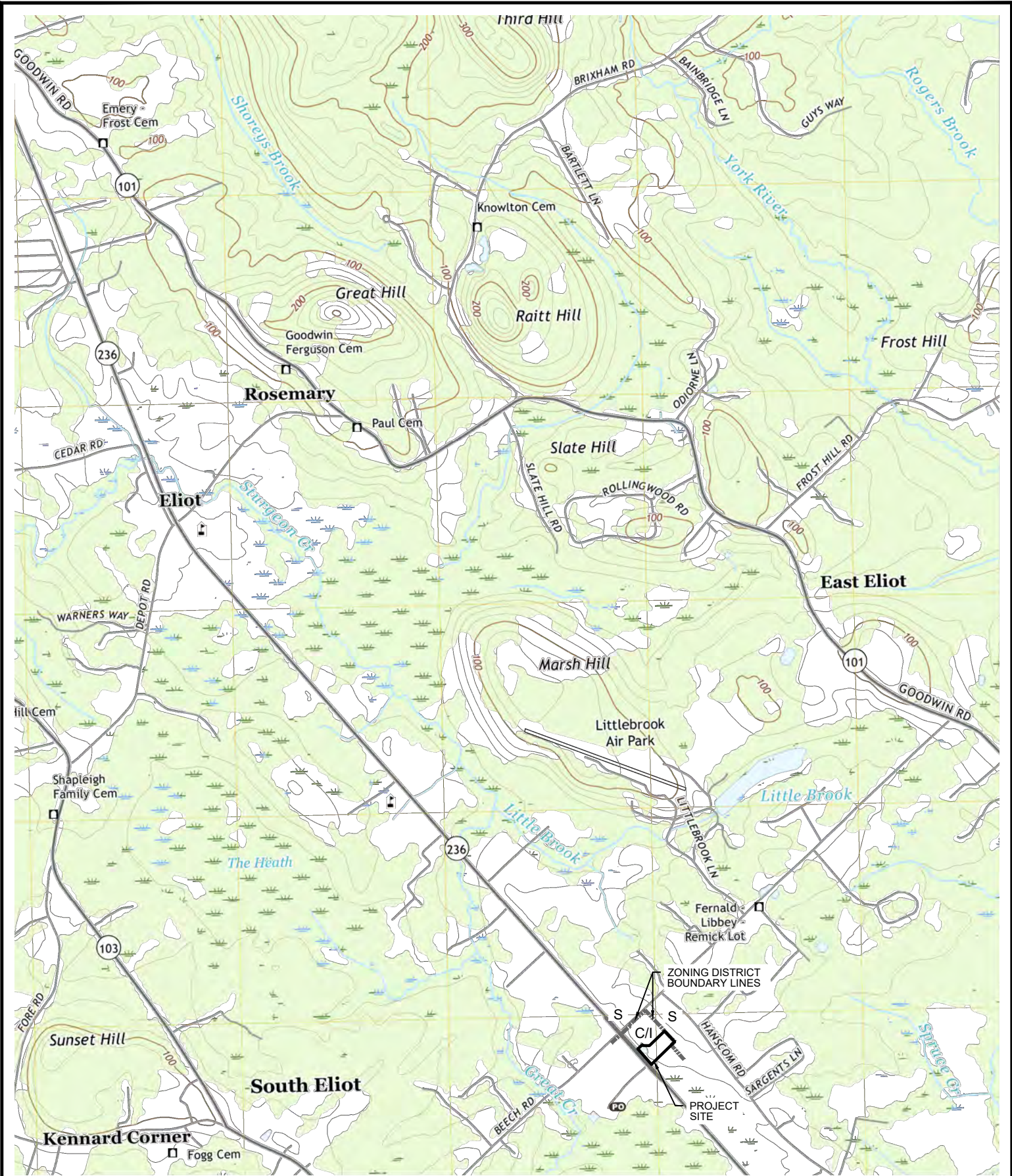
SUBJECT TO a ten-foot-wide Sewer Easement and a twenty-five foot (25) wide Construction Easement as shown on the above-referenced plan for the purpose of laying, constructing, operating, inspecting, maintaining, repairing, replacing, substituting, and removing a sewer pipeline for the transportation of sewage through said pipeline, at a location and on a route as shown on said plan.

The Sewer Easement is subject to the declaration of covenants, conditions, limitations, restrictions and easements set forth in warranty deed of R. Niven Damon and Jacqueline Z. Damon to Medical Environments LLC dated 2004 and recorded in the York County Registry of Deeds in Book 14239, Page 889, and in corrective warranty deed of R. Niven Damon and Jacqueline Z. Damon to Medical Environments LLC dated February 13, 2006, and recorded in said Registry of Deeds in Book 14756, Page 140.

SUBJECT TO a Grading and Drainage Easement as shown on the above-referenced plan, subject to the requirements of the Town of Eliot, the Maine Department of Environmental Protection, and any other applicable State, local or Federal laws or regulations.

ALSO, TOGETHER WITH AND SUBJECT TO the rights, benefits, obligations, easements, conditions, covenants, and notes as shown on the above-referenced plan and as set forth in the above-referenced deeds recorded in Book 4507, Page 67; Book 14239, Page 889; and Book 14756, Page 140 in the York County Registry of Deeds.

Being the same premises conveyed from R. Niven Damon and Jacqueline Z. Damon to Pathfinder Business Offices, LLC by deed dated June 21, 2018, and recorded at the York County Registry of Deeds Book 17738, Page 405.



ATTAR ENGINEERING, INC. CIVIL ♦ STRUCTURAL ♦ MARINE ♦ SURVEYING 1284 STATE ROAD - ELIOT, MAINE 03903 PHONE: (207)439-6023 FAX: (207)439-2128		
SCALE: 1" = 2000'	APPROVED BY:	DRAWN BY: MJS
DATE: 02/08/24		REVISION DATE: - : -
JOB NO: C331-22	FILE: MCSHARRY EH BASE.DWG	SHEET: 1 OF 1

LOCATION:
 178 H.L. DOW HIGHWAY
 ELIOT, ME 03903
 TAX MAP 29, LOT 20

INFORMATION:
 USGS LOCATION MAP
 7.5 MINUTE SERIES
 DOVER EAST QUADRANGLE

J&J'S PATHFINDER, LLC.
 402 THE HILL
 PORTSMOUTH, NH 03801



150 feet Abutters List Report

Eliot, ME
January 23, 2024

Subject Property:

Parcel Number: 029-020-000
CAMA Number: 029-020-000
Property Address: 178 HAROLD L DOW HWY

Mailing Address: J & J's PATHFINDER, LLC
402 THE HILL
PORTSMOUTH, NH 03801

Abutters:

Parcel Number: 029-019-000
CAMA Number: 029-019-000
Property Address: 230 BEECH RD

Mailing Address: GRANITE STATE PIONEER LLC
PO BOX 4201
PORTSMOUTH, NH 03802

Parcel Number: 029-021-000
CAMA Number: 029-021-000
Property Address: 162 HAROLD L DOW HWY

Mailing Address: IRVING OIL LIMITED ATTN:
CORPORATE REAL ESTATE
PO BOX 868
CALAIS, ME 04619

Parcel Number: 029-026-000
CAMA Number: 029-026-000
Property Address: 19 LEVESQUE DR #3

Mailing Address: GUYS REALTY LLC
16 HOMESTEAD LN
BRENTWOOD, NH 03833

Parcel Number: 029-027-01A
CAMA Number: 029-027-01A
Property Address: 28 LEVESQUE DR

Mailing Address: SEA DOG REALTY LLC
86 NEWBURY ST
PORTLAND, ME 04101

Parcel Number: 029-027-01B
CAMA Number: 029-027-01B
Property Address: 28 LEVESQUE DR #2

Mailing Address: CFI PROPCO 2 LLC
165 FLANDERS RD
WESTBOROUGH, MA 01581

Parcel Number: 029-037-000
CAMA Number: 029-037-000
Property Address: 220 BEECH RD

Mailing Address: PRIME STORAGE ELIOT LLC
PO BOX 480
SARATOGA SPRINGS, NY 12866

Parcel Number: 030-006-000
CAMA Number: 030-006-000
Property Address: 263 HANSCOM RD

Mailing Address: WALLNER, CHRISTINE M
263 HANSCOM RD
ELIOT, ME 03903

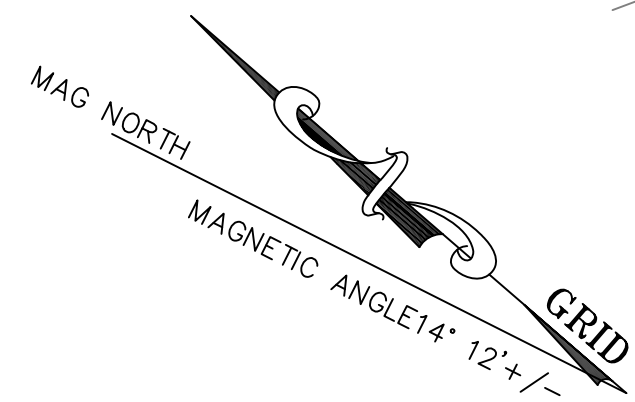
Parcel Number: 030-044-000
CAMA Number: 030-044-000
Property Address: 281 HANSCOM RD

Mailing Address: GARUFO, GIAN
9664 W89TH WAY
WESTMINSTER, CO 80021



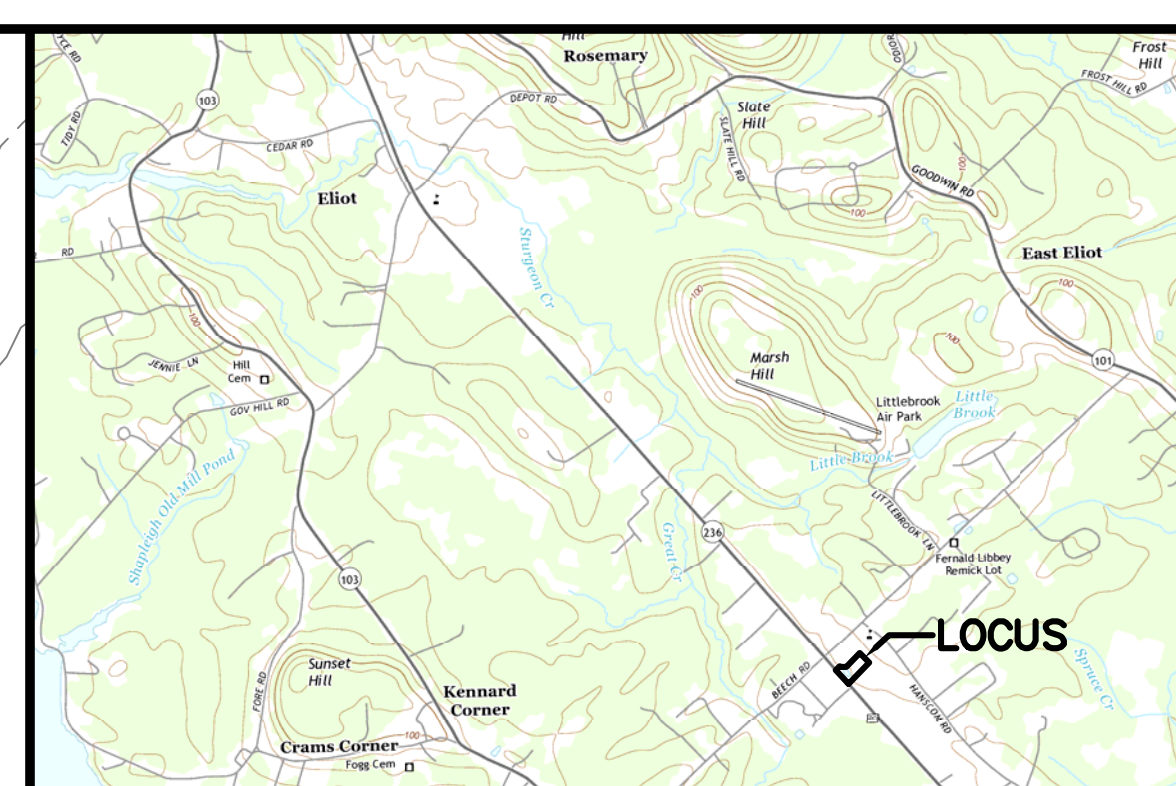
www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



LEGEND:

- FIP FOUND IRON PIPE, AS NOTED
- FIR FOUND IRON ROD, AS NOTED
- UTILITY POLE
- STONE WALL
- N/F LAND, NOW OR FORMERLY, OF
- YCRD YORK COUNTY REGISTRY OF DEEDS
- 7654/321 VOLUME/PAGE OF RECORDED DOCUMENT
- SIR SET IRON ROD, 5/8 INCH Ø, WITH IDENTIFICATION CAP SCRIBED ATTAR ENG INC, ME PLS-1311



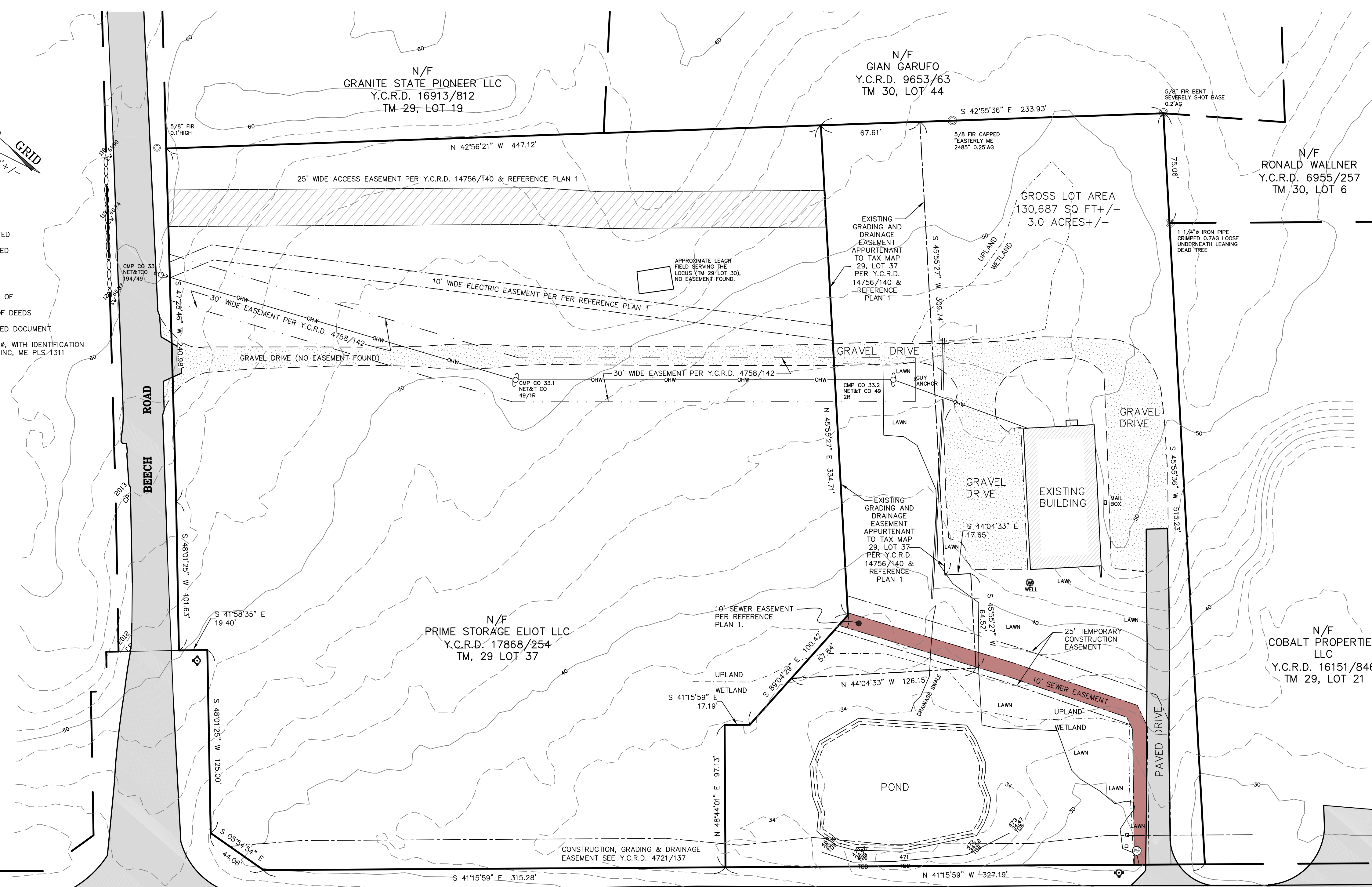
LOCATION PLAN NTS

REFERENCE PLANS:

- 1) PLAN OF LAND, 330 BEECH ROAD, ELIOT, MAINE, OWN MEDICAL ENVIRONMENTS, LLC, 21 HAROLD L. DOW HIGHWAY, ELIOT MAINE 03903, BY JAMES VERRA AND ASSOCIATES, INC., DATED 2-7-2006 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 308, PAGE 15.
- 2) STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP, STATE HIGHWAY 3, ELIOT, YORK COUNTY, FEDERAL AID PROJECT NO. HES-03-1(5), D.O.T FILE NO. 16-315, SHEET 3 OF 6, RECORDED AT THE Y.C.R.D. IN PLAN BOOK 191, PAGE 25.
- 3) STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP, STATE HIGHWAY 3, ELIOT, YORK COUNTY, FEDERAL AID PROJECT NO. HES-03-1(5), D.O.T FILE NO. 16-315, SHEET 4 OF 6, RECORDED AT THE Y.C.R.D. IN PLAN BOOK 191, PAGE 26.
- 4) STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP, STATE HIGHWAY 100, ELIOT, YORK COUNTY, FEDERAL AID SECONDARY PROJECT NO. S-0100(5) S.H.C. FILE NO. 16-112, SHEET 6 OF 13, RECORDED AT THE Y.C.R.D. IN PLAN BOOK 191, PAGE 26.
- 5) PLAN OF A PORTION OF LAND OF HARRY & ELINOR DEWILDT TO BE CONVEYED TO R. NIVEN DAMON, RTE. 236 & BEECH ROAD, ELIOT, MAINE, BY CIVIL CONSULTANTS DATED 10/26/87 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 162, PAGE 37.
- 6) SUBDIVISION OF LAND OF MICHAEL SHEFFIELD, HANSCOM ROAD, ELIOT, MAINE, BY CIVIL CONSULTANTS, DATED 12/14/88, LAST REVISED 12/29/88 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 176, PAGE 21.
- 7) PLAN OF LAND FROM A STANDARD BOUNDARY SURVEY, ROUTE 236, ELIOT, MAINE FOR FIRST / LAST GAS, INC., BY NORWAY PLAINS ASSOCIATES, INC., DATED 5/8/2000, AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 255, PAGE 43.
- 8) MEDICAL OFFICE PARK FOR MEDICAL ENVIRONMENTS, LLC, BY ALTUS ENGINEERING, INC., DATED OCTOBER 7, 2003, SHEETS C-3 & C-4.

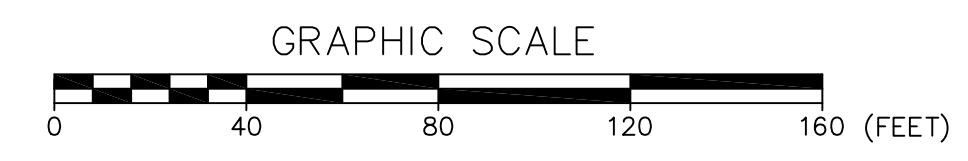
NOTES:

- 1) BEARINGS HEREON ARE BASED ON GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD 83 AS DERIVED FROM GPS OBSERVATIONS.
- 2) ELEVATION INFORMATION DEPICTED HEREON, IS BASED ON NAVD 88 VERTICAL DATUM. CONTOURS WERE OBTAINED FROM THE MAINE OFFICE OF GIS, LIDAR LIBRARY. CONTOUR INTERVAL IS 2 FEET.
- 3) THE BOUNDARIES SHOWN HEREON ARE BASED ON A RETRACEMENT OF THE INFORMATION DEPICTED ON REFERENCE PLAN 1.
- 3) WETLAND BOUNDARIES, AS DEPICTED HEREON, WERE OBTAINED BY SCANNING AND DIGITIZING INFORMATION SHOWN ON REFERENCE PLAN 8.
- 4) AS OF THE ORIGINAL DATE HEREON, LOT CORNERS HAVE NOT BEEN SET

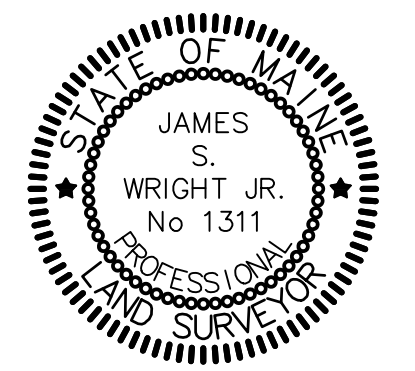


STATE OF MAINE
YORK COUNTY ss. REGISTRY OF DEEDS
RECEIVED _____ 20____
AT _____ h., _____ m., _____ A.M., AND RECORDED IN
PLAN BOOK _____, PAGE _____

ATTEST _____ REGISTER



NO.	DESCRIPTION	DATE



BOUNDARY SURVEY AND EXISTING CONDITIONS PLAN

LOCATED AT
178 HAROLD L. DOW HIGHWAY
ELIOT, MAINE

TAX MAP 29, LOT 20

PREPARED FOR
J & J'S PATHFINDER, LLC
402 THE HILL, PORTSMOUTH, NH 03801

ATTAR ENGINEERING, INC.
CIVIL • STRUCTURAL • MARINE • SURVEYING
1284 STATE ROAD - ELIOT, MAINE 03903
PHONE: (207)439-6023 FAX: (207)439-2128

SCALE: 1" = 40'	APPROVED BY: 	DRAWN BY: JSW
DATE: 06/10/2022	REVISION DATE: - - -	
JOB NO: C331-22	FILE: SURVEY WRK SHEET.DWG	SHEET: 1 OF 1

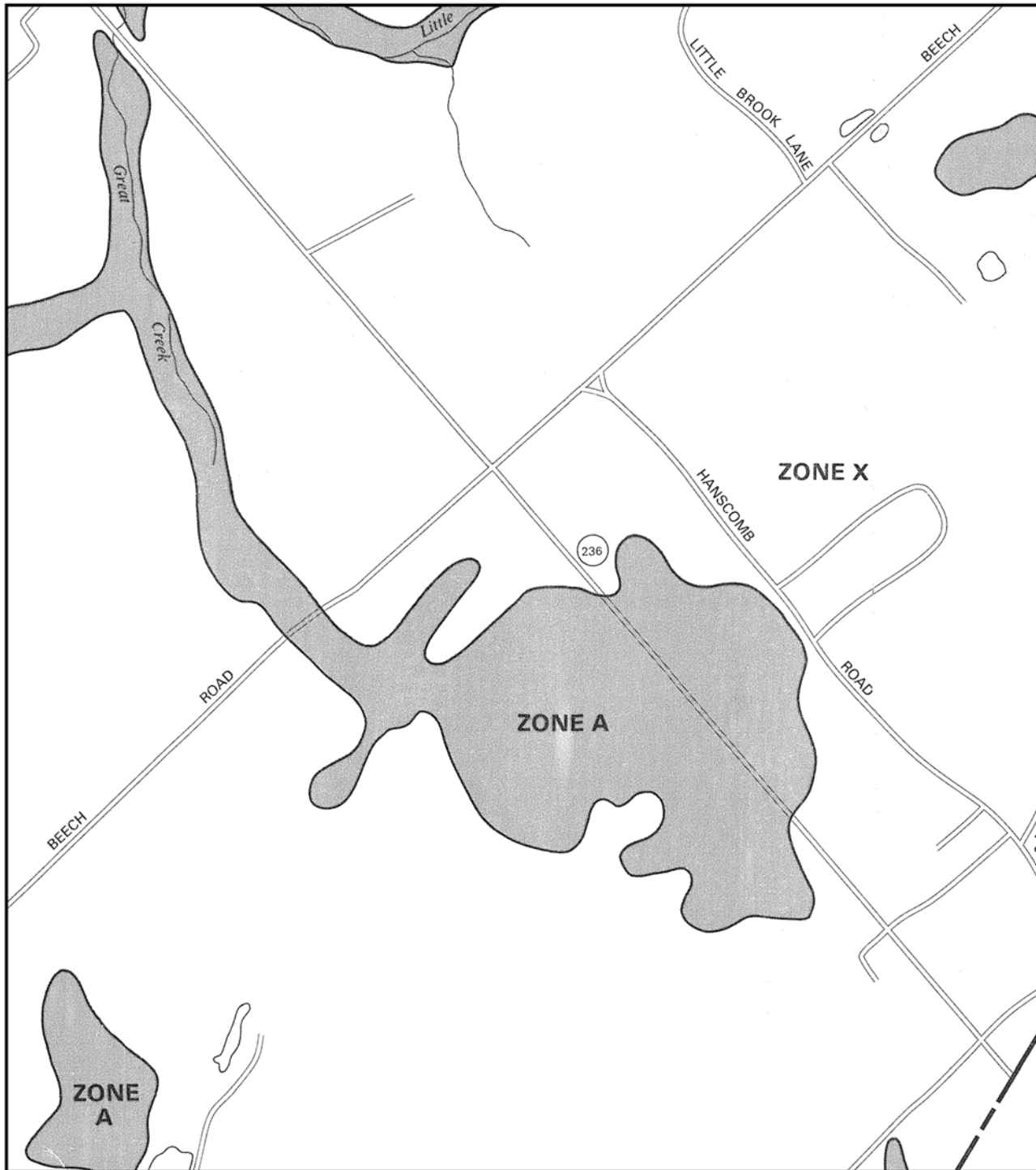


January 19, 2024

Wetlands

- Estuarine and Marine Deepwater
- Freshwater Emergent Wetland
- Lake
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Other
- Riverine

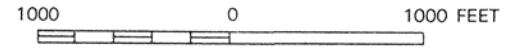
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at (800) 638-6620.



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM
FLOOD INSURANCE RATE MAP**

TOWN OF
ELIOT,
MAINE
YORK COUNTY

PANEL 10 OF 10
(SEE MAP INDEX FOR PANELS NOT PRINTED)



PANEL LOCATION

COMMUNITY-PANEL NUMBER
230149 0010 B

EFFECTIVE DATE:
JUNE 5, 1989



Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.



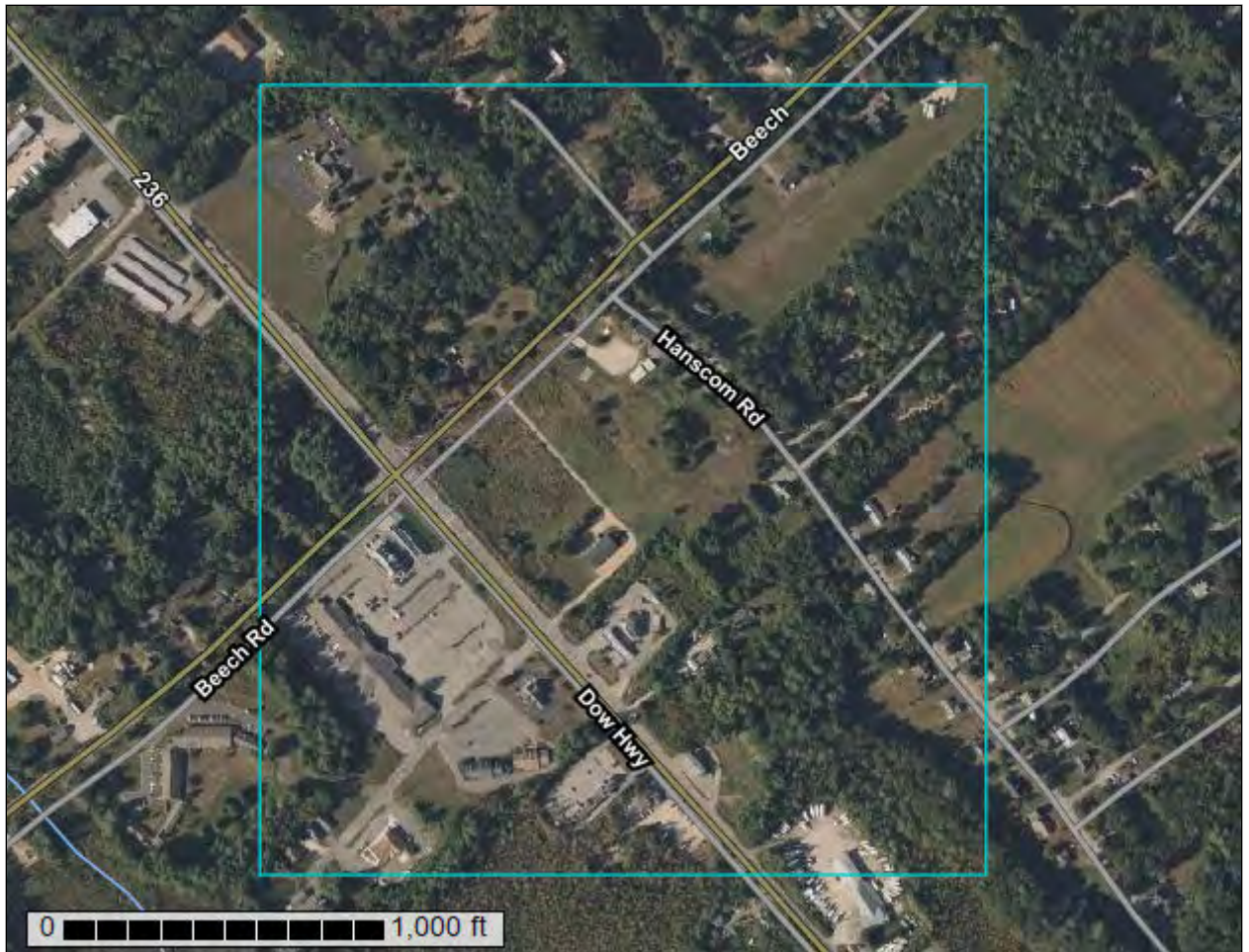
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for York County, Maine



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

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scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

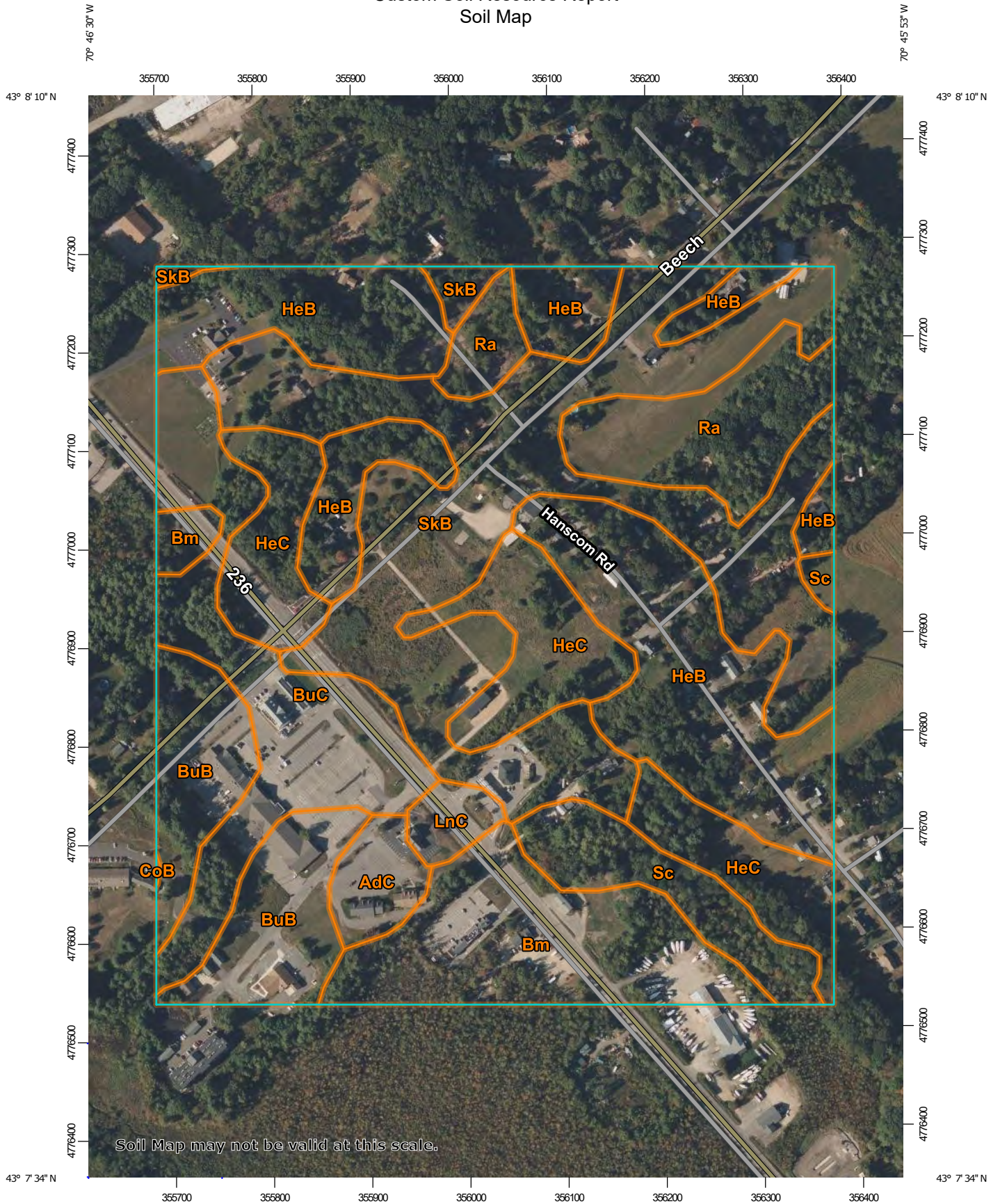
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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

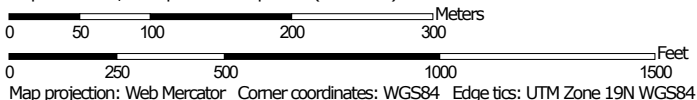
Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Map Scale: 1:5,350 if printed on A portrait (8.5" x 11") sheet.




MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)




















Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

Special Point Features






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: York County, Maine
 Survey Area Data: Version 22, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 19, 2020—Sep 20, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AdC	Adams loamy sand, 8 to 15 percent slopes	2.4	1.8%
Bm	Biddeford mucky peat, 0 to 3 percent slopes	12.5	9.8%
BuB	Buxton silt loam, 3 to 8 percent slopes	10.4	8.1%
BuC	Buxton silt loam, 8 to 15 percent slopes	12.8	10.0%
CoB	Colton gravelly sandy loam, 0 to 8 percent slopes	0.0	0.0%
HeB	Hermon sandy loam, 3 to 8 percent slopes	27.0	21.0%
HeC	Hermon sandy loam, 8 to 15 percent slopes	14.1	11.0%
LnC	Lyman loam, 8 to 15 percent slopes, rocky	1.4	1.1%
Ra	Raynham silt loam	8.8	6.9%
Sc	Scantic silt loam, 0 to 3 percent slopes	5.4	4.2%
SkB	Skerry fine sandy loam, 0 to 8 percent slopes	33.5	26.1%
Totals for Area of Interest		128.3	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a

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particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

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Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

York County, Maine

AdC—Adams loamy sand, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 2wqn8
Elevation: 10 to 2,000 feet
Mean annual precipitation: 31 to 95 inches
Mean annual air temperature: 27 to 52 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Adams and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Adams

Setting

Landform: Outwash terraces
Landform position (two-dimensional): Summit, backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy glaciofluvial deposits

Typical profile

Ap - 0 to 7 inches: loamy sand
Bs - 7 to 21 inches: sand
BC - 21 to 27 inches: sand
C - 27 to 65 inches: sand

Properties and qualities

Slope: 8 to 15 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(1.42 to 14.17 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: A
Ecological site: F144BY601ME - Dry Sand
Hydric soil rating: No

Bm—Biddeford mucky peat, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2t0jn
Elevation: 10 to 900 feet
Mean annual precipitation: 33 to 60 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Biddeford and similar soils: 82 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Biddeford

Setting

Landform: River valleys, marine terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Dip
Down-slope shape: Concave
Across-slope shape: Linear, concave
Parent material: Organic material over glaciomarine deposits

Typical profile

Oe - 0 to 12 inches: mucky peat
Eg - 12 to 16 inches: silt loam
Bg - 16 to 45 inches: silty clay
Cg - 45 to 65 inches: clay

Properties and qualities

Slope: 0 to 3 percent
Surface area covered with cobbles, stones or boulders: 0.0 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.14 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Available water supply, 0 to 60 inches: High (about 11.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: D
Ecological site: F144BY002ME - Marine Terrace Depression, F144BY304ME - Wet Clay Flat
Hydric soil rating: Yes

BuB—Buxton silt loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9k54

Elevation: 10 to 900 feet

Mean annual precipitation: 34 to 48 inches

Mean annual air temperature: 43 to 46 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Buxton and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Buxton

Setting

Landform: Coastal plains

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Linear

Parent material: Glaciolacustrine deposits derived from siltstone and/or fine-silty marine deposits

Typical profile

H1 - 0 to 7 inches: silt loam

H2 - 7 to 19 inches: silt loam

H3 - 19 to 37 inches: silty clay

H4 - 37 to 65 inches: silty clay

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

Depth to water table: About 7 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 9.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: D

Hydric soil rating: No

BuC—Buxton silt loam, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 9k55

Elevation: 10 to 900 feet

Mean annual precipitation: 34 to 48 inches

Mean annual air temperature: 43 to 46 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Buxton and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Buxton

Setting

Landform: Coastal plains

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Glaciolacustrine deposits derived from siltstone and/or fine-silty marine deposits

Typical profile

H1 - 0 to 7 inches: silt loam

H2 - 7 to 19 inches: silt loam

H3 - 19 to 37 inches: silty clay

H4 - 37 to 65 inches: silty clay

Properties and qualities

Slope: 8 to 15 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 9.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: C

Hydric soil rating: No

CoB—Colton gravelly sandy loam, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2ym4k

Elevation: 10 to 2,000 feet

Mean annual precipitation: 31 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Colton and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Colton

Setting

Landform: Eskers, kames

Landform position (two-dimensional): Summit, backslope

Landform position (three-dimensional): Side slope, crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Sandy-skeletal glaciofluvial deposits

Typical profile

Oe - 0 to 4 inches: moderately decomposed plant material

E - 4 to 6 inches: gravelly sandy loam

Bs - 6 to 14 inches: gravelly loamy sand

BC - 14 to 24 inches: very gravelly coarse sand

C - 24 to 65 inches: extremely gravelly coarse sand

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(1.42 to 14.17 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Very low (about 2.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3s

Hydrologic Soil Group: A

Ecological site: F144BY601ME - Dry Sand

Hydric soil rating: No

HeB—Hermon sandy loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2w9r8

Elevation: 0 to 950 feet

Mean annual precipitation: 31 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Hermon and similar soils: 90 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hermon

Setting

Landform: Hills, mountains

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountainbase, interfluve, base slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Sandy and gravelly supraglacial meltout till derived from granite and gneiss

Typical profile

Ap - 0 to 9 inches: sandy loam

Bs1 - 9 to 16 inches: very gravelly sandy loam

Bs2 - 16 to 32 inches: extremely gravelly loamy sand

C - 32 to 65 inches: very gravelly coarse sand

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(1.42 to 14.17 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2s

Hydrologic Soil Group: A

Ecological site: F144BY601ME - Dry Sand

Hydric soil rating: No

HeC—Hermon sandy loam, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 2w9r9

Elevation: 0 to 980 feet

Mean annual precipitation: 31 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Hermon and similar soils: 90 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hermon

Setting

Landform: Mountains, hills

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Sandy and gravelly supraglacial meltout till derived from granite and gneiss

Typical profile

Ap - 0 to 9 inches: sandy loam

Bs1 - 9 to 16 inches: very gravelly sandy loam

Bs2 - 16 to 32 inches: extremely gravelly loamy sand

C - 32 to 65 inches: very gravelly coarse sand

Properties and qualities

Slope: 8 to 15 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (1.42 to 14.17 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: A

Ecological site: F144BY601ME - Dry Sand

Hydric soil rating: No

LnC—Lyman loam, 8 to 15 percent slopes, rocky

Map Unit Setting

National map unit symbol: 2trq9

Elevation: 0 to 690 feet

Mean annual precipitation: 36 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 60 to 160 days

Farmland classification: Not prime farmland

Map Unit Composition

Lyman, rocky, and similar soils: 86 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lyman, Rocky

Setting

Landform: Mountains, hills

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountaintop, mountainflank,
mountainbase, side slope, crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy supraglacial till derived from granite and gneiss and/or
loamy supraglacial till derived from phyllite and/or loamy supraglacial till
derived from mica schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material

A - 1 to 3 inches: loam

E - 3 to 5 inches: fine sandy loam

Bhs - 5 to 7 inches: loam

Bs1 - 7 to 11 inches: loam

Bs2 - 11 to 18 inches: channery loam

R - 18 to 28 inches: bedrock

Properties and qualities

Slope: 8 to 15 percent

Depth to restrictive feature: 11 to 24 inches to lithic bedrock

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to high (0.00
to 14.03 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 3.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: D

Hydric soil rating: No

Ra—Raynham silt loam

Map Unit Setting

National map unit symbol: 9k6d
Elevation: 10 to 1,750 feet
Mean annual precipitation: 34 to 48 inches
Mean annual air temperature: 37 to 46 degrees F
Frost-free period: 80 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Raynham and similar soils: 92 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Raynham

Setting

Landform: Lakebeds
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Coarse-silty glaciolacustrine deposits derived from sandstone and siltstone

Typical profile

H1 - 0 to 6 inches: silt loam
H2 - 6 to 36 inches: silt loam
H3 - 36 to 65 inches: silt loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.60 in/hr)
Depth to water table: About 0 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Very high (about 14.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: C/D
Hydric soil rating: Yes

Sc—Scantic silt loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2slv3
Elevation: 10 to 900 feet
Mean annual precipitation: 33 to 60 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Scantic and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Scantic

Setting

Landform: River valleys, marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Glaciomarine deposits

Typical profile

Ap - 0 to 9 inches: silt loam
Bg1 - 9 to 16 inches: silty clay loam
Bg2 - 16 to 29 inches: silty clay
Cg - 29 to 65 inches: silty clay

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: D
Ecological site: F144BY304ME - Wet Clay Flat
Hydric soil rating: Yes

SkB—Skerry fine sandy loam, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2w9pg
Elevation: 160 to 750 feet
Mean annual precipitation: 36 to 65 inches
Mean annual air temperature: 36 to 52 degrees F
Frost-free period: 90 to 160 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Skerry and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Skerry

Setting

Landform: Hills, mountains
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Mountainbase, interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Loamy lodgment till derived from granite and gneiss and/or schist
over sandy lodgment till derived from granite and gneiss and/or schist

Typical profile

Ap - 0 to 6 inches: fine sandy loam
Bs1 - 6 to 20 inches: gravelly fine sandy loam
Bs2 - 20 to 25 inches: gravelly fine sandy loam
Cd1 - 25 to 34 inches: gravelly loamy sand
Cd2 - 34 to 65 inches: gravelly loamy sand

Properties and qualities

Slope: 0 to 8 percent
Depth to restrictive feature: 21 to 43 inches to densic material
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)
Depth to water table: About 18 to 30 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C/D
Ecological site: F144BY501ME - Loamy Slope (Northern Hardwoods)
Hydric soil rating: No

Custom Soil Resource Report

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
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- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
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- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
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- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Maine Ecological Services Field Office
P. O. Box A
East Orland, ME 04431
Phone: (207) 469-7300 Fax: (207) 902-1588

In Reply Refer To:
Project Code: 2024-0038594
Project Name: Pathfinder Elderly Housing

January 19, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

(207) 469-7300

PROJECT SUMMARY

Project Code: 2024-0038594

Project Name: Pathfinder Elderly Housing

Project Type: Commercial Development

Project Description: Expansion of existing commercial use, construction of elderly housing residential units with common parking lot

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.131037199999994,-70.76994455629517,14z>



Counties: York County, Maine

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Attar Engineering, Inc.

Name: Michael Sudak

Address: 1284 State Road

City: Eliot

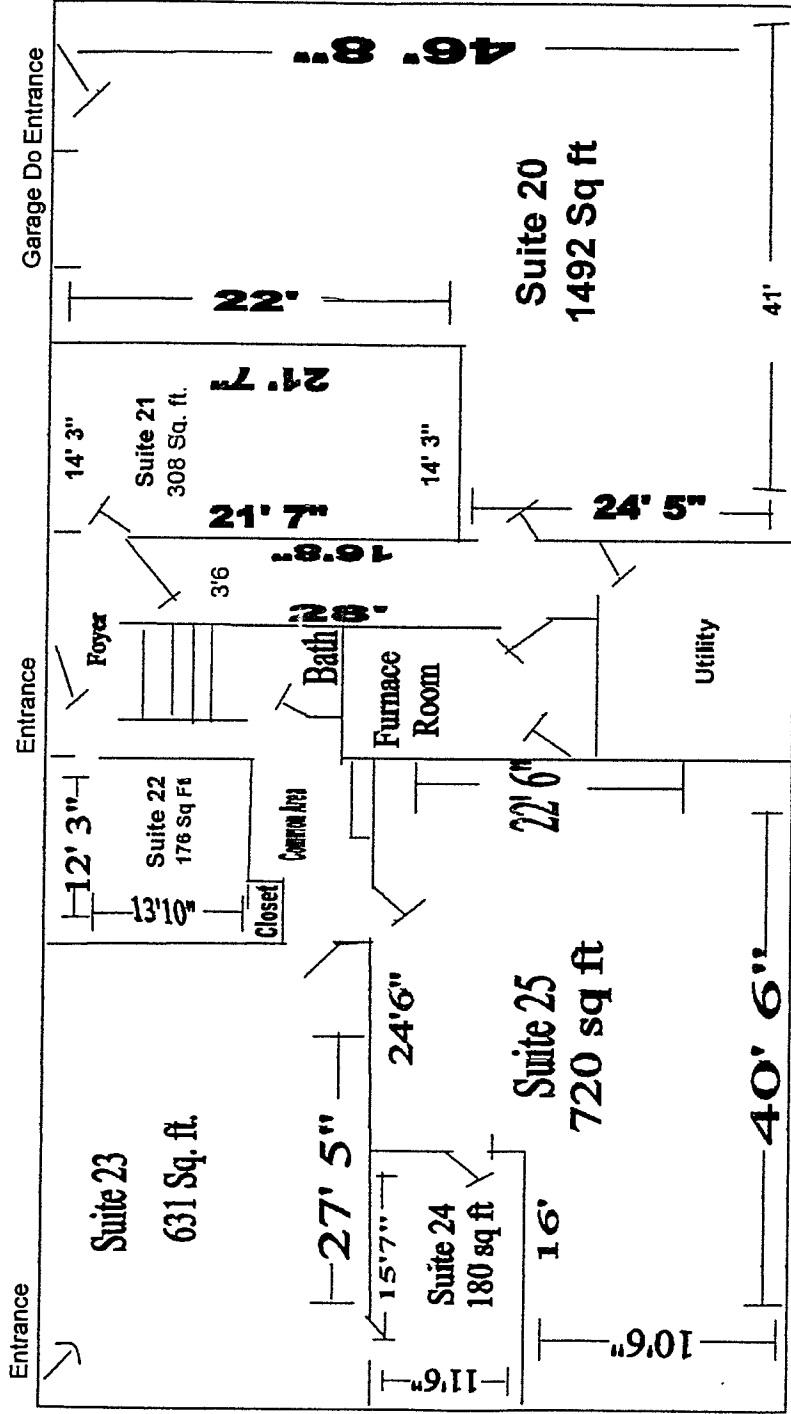
State: ME

Zip: 03903

Email: mike@attarengineering.com

Phone: 2074396023

DAMON OFFICE PARK
SUITE 20-25



Suite 20	1492 Square Feet
Suite 21	308 Square Feet
Suite 22	176 Square Feet
Suite 23	631 Square Feet
Suite 24	180 Square Feet
Suite 25	720 Square Feet
Suites 23/24	811 Square Feet
Suites 24/25	911 Square Feet
Suites 23/24/25	1881 Square Feet

REFERENCE PLANS:

- 1.) PLAN OF LAND, 330 BEECH ROAD, ELIOT, MAINE, OWNED MEDICAL ENVIRONMENTS, LLC, 21 HAROLD L. DOW HIGHWAY, ELIOT MAINE 03903, BY JAMES VERRA AND ASSOCIATES, INC., DATED 2-7-2006 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 308, PAGE 15.
- 2.) STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP, STATE HIGHWAY 3, ELIOT, YORK COUNTY, FEDERAL AID PROJECT NO. HES-03-1(5), D.O.T FILE NO. 16-315, SHEET 3 OF 6, RECORDED AT THE Y.C.R.D. IN PLAN BOOK 191, PAGE 25.
- 3.) STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP, STATE HIGHWAY 3, ELIOT, YORK COUNTY, FEDERAL AID PROJECT NO. HES-03-1(5), D.O.T FILE NO. 16-315, SHEET 4 OF 6, RECORDED AT THE Y.C.R.D. IN PLAN BOOK 191, PAGE 26.
- 4.) STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP, STATE HIGHWAY 100, ELIOT, YORK COUNTY, FEDERAL AID PROJECT NO. HES-03-1(5), D.O.T FILE NO. 16-112, SHEET 6 OF 13, RECORDED AT THE Y.C.R.D. IN PLAN BOOK 191, PAGE 26.
- 5.) PLAN OF A PORTION OF LAND OF HARRY & ELINOR DEWILDT TO BE CONVEYED TO R. NIVEN DAMON, RTE. 236 & BEECH ROAD, ELIOT, MAINE, BY CIVIL CONSULTANTS DATED 10/26/87 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 162, PAGE 37.
- 6.) SUBDIVISION OF LAND OF MICHAEL SHEFFIELD, HANSCOM ROAD, ELIOT, MAINE, BY CIVIL CONSULTANTS, DATED 12/14/88, LAST REVISED 12/29/88 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 176, PAGE 21.
- 7.) PLAN OF LAND FROM A STANDARD BOUNDARY SURVEY, ROUTE 236, ELIOT, MAINE FOR FIRST / LAST GAS, INC. BY NORWAY PLAINS ASSOCIATES, INC., DATED 5/8/2000, AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 255, PAGE 43.
- 8.) MEDICAL OFFICE PARK FOR MEDICAL ENVIRONMENTS, LLC, BY ALTUS ENGINEERING, INC., DATED OCTOBER 7, 2003, SHEETS C-3 & C-4.
- 9.) "BOUNDARY SURVEY AND EXISTING CONDITIONS PLAN LOCATED AT 178 HAROLD L. DOW HIGHWAY ELIOT, MAINE" BY ATTER ENGINEERING, INC. DATED JUNE 10, 2022.

N/F
PRIME STORAGE ELIOT LLC
Y.C.R.D. 17868/254
TM, 29 LOT 37

N/F
GIAN GARUFO
Y.C.R.D. 9653/63
TM 30, LOT 44

PRP. ELDERLY HOUSING
DUPLX UNIT (TYP.)
1,395 SQ. FT. FOOTPRINT EACH
2 PARKING SPACES PER UNIT

PRP. EDGE OF PAVEMENT (TYP.)

HAROLD L. DOW HIGHWAY (ME. ROUTE 236) 100' R.O.W., 35 MPH

EXT. 25.0'-WIDE ACCESS EASEMENT

50' SETBACK

20'

EXT. WETLAND LIMITS (TYP.) PER REF. 8

COMMERICAL PARKING ONLY SIGN (TYP.)

PROPOSED 2,420 SQ. FT. ADDITION

EXISTING 4,666 SQ. FT. COMMERCIAL BUILDING

PRP. COMMON RECREATION AREA

50' SETBACK

50' ELDERLY HOUSING SETBACK (TYP.) SEE GEN NOTE #3

20' SIDERYARD SETBACK (TYP.)

N/F
WALLNER, CHRISTINE M.
Y.C.R.D. 6955/257
TM 30, LOT 6

EXT. ABUTTING PROPERTY LINE (TYP.)

EXT. PROPERTY LINE (TYP.)

PRP. EDGE OF PAVEMENT (TYP.)

N/F
IRVING OIL LIMITED
Y.C.R.D. BOOK 4248 PAGE 0236
TM 29, LOT 21

PRP. 9'x20' PARKING SPACE (TYP. x42)

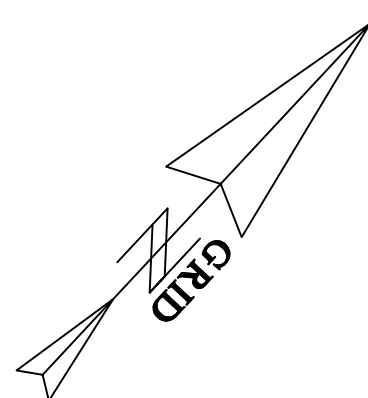
GENERAL NOTES (CONT.)

- 8.) ELDERLY HOUSING DENSITY CALCULATION PER §45-405.(a), NOTE g:
MINIMUM ACREAGE FOR ELDERLY HOUSING SHALL BE ONE ACRE FOR THE FIRST DWELLING UNIT AND ONE QUARTER ACRE FOR EACH ADDITIONAL UNIT.
TOTAL PARCEL AREA = 3.0 ACRES
FIRST ELDERLY HOUSING UNIT = 1.0 ACRES OF DENSITY (2.0 AC. REMAIN)
ADDITIONAL E.H. UNITS = [2.0 AC. REMAIN / 0.25 AC. OF DENSITY] = 8 ADDITIONAL UNITS ALLOWED
[1 + 8] = 9 E.H. UNITS ALLOWED (8 PROPOSED)
- 9.) BOUNDARY AND EXISTING CONDITIONS SURVEY CONDUCTED BY ATTER ENGINEERING, INC. ON JUNE 10, 2022.
- 10.) PER §45-405.(a), NOTE v., MORE THAN ONE PRINCIPAL STRUCTURE MAY BE LOCATED ON THE SAME PARCEL IN THE C/I ZONE. IN SUCH CASES, THEY MAY NOT BE LOCATED CLOSER THAN 20 FEET FROM ONE ANOTHER.

LEGEND	
PROPERTY LINE	PL
SETBACKS	---
ABUTTERS	---
EXT. & PRP. BLDG.	[Hatched Box]
EXT. & PRP. EOP	[Hatched Box]
PRP. PARKING	---
WETLANDS	UPLAND WETLAND
PRP. SIGN	---

WAIVERS REQUESTED

§41-310.(d): MAX GROSS FLOOR AREA PER ELDERLDY HOUSING UNIT IS 1,200 SQUARE FEET - 1,800 SQ. FT. IS REQUESTED



GRAPHIC SCALE



REVIEW PRINT-NOT FOR CONSTRUCTION
TAX MAP 29, LOT 20

NO.	DESCRIPTION	DATE

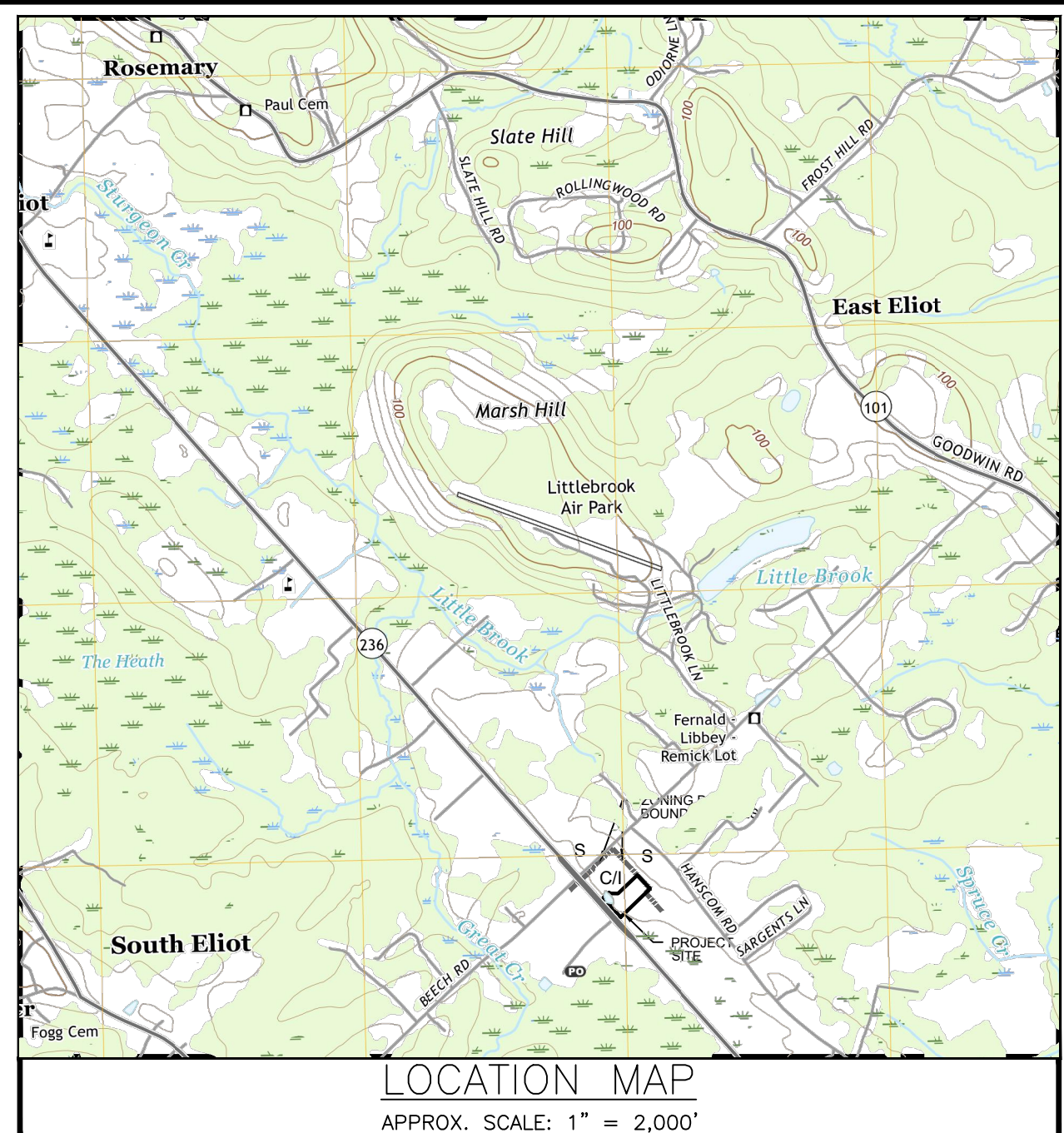
PROGRESS PRINT

SKETCH PLAN
ELDERLY HOUSING DEVELOPMENT
178 HAROLD L. DOW HIGHWAY, ELIOT ME

FOR: J&J'S PATHFINDER, LLC.
402 THE HILL
PORTSMOUTH, NH 03801

ATTAR ENGINEERING, INC.
CIVIL • STRUCTURAL • MARINE • SURVEYING
1284 STATE ROAD - ELIOT, MAINE 03903
PHONE: (207)439-6023 FAX: (207)439-2128

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY: MJS
DATE: 02/08/24		REVISION DATE: - - -
JOB NO: C331-22	FILE: MCSHARRY EH BASE.DWG	SHEET: 1



LOCATION MAP
APPROX. SCALE: 1" = 2,000'

- 1.) THIS PLAN DEPICTS THE DEVELOPMENT OF THE SUBJECT PARCEL CONTAINING A COMMERCIAL FACILITY CONSISTING OF A SINGLE 4,666 SQ. FT. BUILDING WITH ASSOCIATED GRAVEL PARKING. THE PROPOSED DEVELOPMENT SHALL EXPAND THE EXISTING COMMERCIAL USE FACILITY WITH A 2,420 SQ. FT. ADDITION, AS WELL AS ADD AN ELDERLY HOUSING USE AND CONSTRUCT EIGHT (8) CONDO UNITS - FOUR DUPLEX BUILDINGS.
- 2.) THE SUBJECT PARCEL, LOCATED OFF OF ROUTE 236, IS IDENTIFIED AS LOT 20 ON MAP 29, CONTAINS 3.0 ACRES IN AREA, AND IS LOCATED IN THE COMMERCIAL INDUSTRIAL DISTRICT (C/I) ZONING DISTRICT.
- 3.) DIMENSIONAL REQUIREMENTS FOR THE C/I ZONING DISTRICT AS PER §45-405.(a):
LOT SIZE: 3.0 ACRES MINIMUM
STREET FRONTAGE: 300' MINIMUM (327' PROVIDED)
SETBACKS: 50' FRONTYARD
20' SIDERYARD*
20' REARYARD*
BUILDING HEIGHT: 55' MAXIMUM
LOT COVERAGE: 50%**
* PER §45-405.(a), NOTE p., ELDERLY HOUSING USES SHALL HAVE SETBACKS OF 50' FROM ALL LOT LINES OR 100' FROM ALL RESIDENTIAL DWELLING UNITS, WHICHEVER IS GREATER. THIS SETBACK SUPERCEDES THE REQUIREMENTS OF §45-405.(a), NOTE b. PER DISCUSSIONS WITH THE ELIOT TOWN PLANNER.
** PER §45-405.(a), NOTE q., ELDERLY HOUSING USES SHALL HAVE A MAXIMUM LOT COVERAGE OF 35%. SEE GENERAL NOTE 5.
- 4.) SITE TOPOGRAPHY AND EXISTING CONDITIONS PREPARED FROM STATE OF MAINE ORTHOMAGERY, LIDAR CONTOURS, STATE AND TOWN GIS IMAGERY, AND PLAN REFERENCE 1. EXISTING CONDITIONS OF ABUTTING PROPERTIES ARE APPROXIMATE.
- 5.) LOT COVERAGE CALCULATION:
OVERALL PARCEL AREA = 130,687 SQ. FT. (3.0 AC.)
EXISTING STRUCTURE = 4,666 SQ. FT.
PROPOSED ADDITION = 2,420 SQ. FT.
PROPOSED E.H. STRUCTURES = 11,160 SQ. FT.
[4,666 + 2,420 + 11,160] = 18,246 SQ. FT. (0.42 AC.) COVERAGE
[18,246 / 130,687] = 13.96% < 35% => OK
- 6.) PARKING CALCULATION AS PER §45-495:
PROFESSIONAL OFFICES [§45-495.(9)] - 1 SPACE / 200 SQ. FT.
EXISTING BUILDING (FIRST FLOOR): 3,235 SQ. FT. PROFESSIONAL OFFICES [3,235 / 200] = 16.17 SPACES REQUIRED
NON-SPECIFIC C/I USES [§45-495.(11)] - 1 SPACE / MAX. CONCURRENT EMPLOYEE COUNT
EXISTING BUILDING (BASEMENT FLOOR): 2 MAX. CONCURRENT EMPLOYEES
PROPOSED COMMERCIAL BLDG. ADDITION: 2 MAX CONCURRENT EMPLOYEES [2 + 2] = 4 SPACES REQUIRED
ELDERLY HOUSING [§41-312.(a)] - 1 SPACE / E.H. DWELLING UNIT
8 TOTAL ELDERLY HOUSING UNITS PROPOSED (4 DUPLEXES)
[1 SPACE/UNIT] = 8 SPACES REQUIRED
[16.17 + 4 + 8] = 28.17 => 29 SPACES REQUIRED (42 PROVIDED, 1 ADA)
- 7.) PROPOSED TOTAL IMPERVIOUS AREA = 44,561 SQ. FT.
--GENERAL NOTES CONTINUED ELSEWHERE ON SHEET 1--

PB23-22: 324 Goodwin Rd. (Map 66, Lot 46): Home Business Application – Professional office and equipment storage



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Kathleen and Mark Moriarty, Applicants
Date: February 14, 2024 (report date)
February 20, 2024 (meeting date)
Re: PB23-22: 324 Goodwin Rd. (Map 66, Lot 46): Home Business Application – Professional office and equipment storage

Application Details/Checklist Documentation	
Address:	324 Goodwin Rd.
Map/Lot:	66/46
Zoning District:	Rural (Critical Rural Overlay)
Shoreland Zoning:	N/A
Owner Name:	Kathleen Moriarty
Applicant Name:	Kathleen and Mark Moriarty
Proposed Project:	Professional office and equipment storage
✓ Application Received by Staff:	11/22/23
Application Fee Paid and Date:	\$200.00 Paid 01/04/2024
Application Sent to Staff Reviewers:	
Application Heard by PB	2/20/24 (scheduled)
Found Complete by PB	
Site Walk	
Public Hearing	
Public Hearing Publication	
✓ Reason for PB Review:	Home Business Application

Overview: This Home Business Application is for a professional office and equipment storage to be located at 324 Goodwin Rd. The property is at the corner of Goodwin Rd. and Frost Hill Rd., across from Moriarty Electric Co.

Type of Review Needed: Initial review

Review notes on application and home business performance standards (45-456.1)

- **Home business owner home occupancy:** Year round
- **Total home business area (1,500 sf max. allowed):** 1,500 sf
- **Structure used as part of a home business meeting principal setbacks (30' front and**

rear, 20' side): Appears to be met, per sketch.

PB23-22: 324 Goodwin Rd. (Map 66, Lot 46): Home Business Application – Professional office and equipment storage

- **Sales of merchandise or products (up to 4 types of allowed sales):** No
- **Non-resident employees (max. 2):** Two (2)
- **Parking spaces for non-residents (max. 4):** Four (4)
 - **Parking spaces within front setback (max. 2):** None, based on sketch plan setback of 37 ft.
- **Home business sign:** No
- **External evidence of the home business and business-related vehicles:** Applicant reports that a solid fence 6-8 ft. high will be installed along Frost Hill Rd. and along neighboring property line.
- **Use and storage of fluids, solids, and gases unique to the business:** None reported in application.
- **Sketch plan:** See application package

Other notes

- Warranty deed in application submittal
- Hours of operation sought for approval: 7am to 5pm, no days of week listed in application
- Land use table references (45-290):
 - Professional office (for lots not abutting Route 236 in the Rural district, allowable as a home business, subject to Planning Board site plan review)
 - Equipment storage, trucks, three or more: not allowed in Rural district

Recommendation

Deem application incomplete, continue the review to March 19, and ask the applicant to provide the following information:

- A rationale substantiating that the proposed use (equipment storage) is similar to a permitted use as allowed in the Rural zoning district [45-456.1e1]
- More information on the type of equipment to be stored, to inform 45-456.1(l) and possibly other standards
- A sketch showing the layout of the 1,500 sf of proposed home business space within the warehouse
- Description of how business vehicles will enter and exit the property (e.g. driveway location)

Completeness determination may be recommended if applicant provides the above information at the PB meeting to the satisfaction of the PB.

* * *

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner



HOME BUSINESS APPLICATION

Date Submitted 11/22/2023

Applicant Name(s) Kathleen & Mark Moriarty

Mailing Address 324 Goodwin Road, Eliot, ME 03903 Phone Kathleen 207-332-5656
Mark 603-661-6512

If you prefer to receive meeting notices and other communications via email please provide your email below:
Email address coconutsmile@aol.com and markm@moriartyelectric.com

Property Owner(s) Kathleen Moriarty

Mailing Address 324 Goodwin Road, Eliot, ME 03903 Phone Kathleen 207-332-5656

Property Location/Address 324 Goodwin Road, Eliot, ME 03903

Map 66 Lot 46 Size (acres) 3.320

Zoning District? (*circle all that apply*) Village Rural Suburban

Is any portion of the property in a Shoreland zoning district? YES NO

- If yes, which Shoreland zoning district? (*check all that apply*)
- Limited Commercial
 - Limited Residential
 - Stream Protection
 - General Development
 - Resource Protection

Non-conforming lot? YES NO

Home business located in a non-conforming structure? YES NO

Establish your legal interest in the property by attaching a copy of the deed, purchase and sales agreement, tax records, or signed lease. Deed (2 pages attached)

Describe the business and its operation (*nature of business, hours of operation, etc.*))
Professional office and equipment storage. Hours of operation 7am-5pm.

What permitted use as listed in the Table of Land Use (Sec. 45-290) are you applying for? (*note: cannot be "home business" or "home occupation"*) If your proposed use is not listed, which one is it most similar to?
Professional office for licensed electrical professionals.

Complete the attached checklist to see if your application complies with the ordinance and return to the Planning Assistant with ten (10) copies of application and plans plus a fee of \$200.00 (\$25 application fee + \$175 for advertising and public hearing expenses).

Applicant Signature [Signature] Date 11/22/2023

Property owner Signature (*if different*) [Signature] Date 11/22/2023

Application received by PA _____ Date _____



Eliot Planning Board Home Business Checklist

Please explain how your proposed Home Business meets the ordinance requirements by filling in the blocks below.

Sec. 45-456. Home Businesses.

Home Businesses are uses that provide space for commercial activity that is in scale and character with neighborhoods and areas that are primarily residential. Home Businesses must comply with the following requirements:

Item	Section 45-456 Requirement	Explain how your proposal meets this requirement
1.	<p>a. The Home Business must be clearly secondary to the residential use of the property. This means that there must be a dwelling unit on the property, and the dwelling unit must be occupied by an owner of the Home Business during the months of the year that the business is in operation. (As used in this paragraph, the term owner includes a principal of a corporation, limited liability company or other legal entity that owns a business.)</p>	<p>Provide a statement concerning your relationship (owner, renter) to the dwelling unit on the property. Provide the months of the year that you occupy the dwelling unit on the property.</p> <p>As the owner, we reside on this property year-round.</p>
2.	<p>b. The Home Business cannot exceed 1500 square feet in total area. The total area includes all portions of all structures used to support or conduct the Home Business.</p>	<p>How many square feet are you planning to use?</p> <p>1,500 square feet</p>
3.	<p>c. All structures used as part of a Home Business must meet minimum yard and setback requirements for principal structures.</p>	<p>Provide a sketch showing the outline of the property and of all structures on the property, dimensions of the property and of all structures, and dimensions from all structures to the lot lines.</p> <p>Attached</p>



	<p>d. Any use that is not listed in the Table of Land Uses, Section 45-290 may be permitted as a Home Business provided the following requirements are met:</p> <p>(1) The applicant must provide a rationale, acceptable to the Planning Board, substantiating that the proposed use is similar to a permitted use as allowed in the applicable zoning district.</p> <p>AND</p> <p>(2) The application must be approved by a concurring vote of at least three members of the Planning Board as being similar to a use listed in the Table of Land Uses as allowed in the applicable zoning district.</p>	<p>Is your proposed use in the land use table? If not, why do think it is similar to a use that is listed?</p> <p>Yes, Professional Office.</p>
<p>4.</p>	<p>e. At least one person engaged in the Home Business use must occupy the dwelling unit.</p>	<p>Provide a list of the occupants of the dwelling unit who will be engaged in the Home Business?</p> <p>Mark, Kathleen and Sean Moriarty</p>
<p>5.</p>	<p>f. No more than two persons not occupying the dwelling unit shall be employed on site in the Home Business.</p>	<p>In addition to persons dwelling on the site, how many others will be employed in the Home Business?</p> <p>Two</p>
<p>6.</p>		



7.	<p>g. A Home Business may engage in selling of merchandise and products as follows:</p> <ul style="list-style-type: none">(1) On-site sales of merchandise and products that are created, grown, built, or substantially altered as part of the Home Business.(2) On-site sales of merchandise and products that are customarily incidental to the services or products provided by a Home Business.(3) Off-site, phone, mail, and internet, or similar sales of merchandise and products.(4) On-site wholesale distribution of merchandise and products to dealer/sales representatives who sell the merchandise and products off site.	<p>Will you be selling merchandise or products as part of the Home Business? If so, describe the merchandise and products and how they will be sold.</p> <p>No</p>
8.	<p>h. Parking shall not exceed four spaces in addition to the spaces required for parking by occupants of the dwelling unit. Parking must meet setback requirements with the exception of two spaces that may be allowed within the front setback only.</p>	<p>How many parking places will you have in addition to those needed by persons residing at the dwelling unit? (Show it on the sketch)</p> <p>Four</p>



9.	i. Sign dimensions must meet Sec. 45-405 residential (non-commercial) requirement and shall be a maximum of 6 sq. ft. in area.	Are you going to have a sign? If so, how big will it be? No
10.	j. Storage of material associated with the Home Business use and any other external evidence of the business, must be located or screened such that it is not visible from the street or neighboring residences. Signage, lobster traps, boat storage (in accordance with Home Businesses, Water Dependent) and one business related van, pickup truck, or passenger car shall be exempt from screening requirements.	Describe how all external (outside) evidence of the business will be screened from the street and neighboring residences. Describe all business-related vehicles. Solid fence 6'-8' high will be installed along Frost Hill Road and on property line of adjoining neighbor.
11.	k. Application must identify how all fluids, solids, and gases unique to the business are going to be used and stored. Location and quantity of highly flammable or explosive liquids, solids, or gases shall be identified on the application and referred to the Eliot Fire Chief for review and comment. Material Safety Data Sheets (MSDS) shall be provided by the applicant as required by the Planning Board.	Provide a list of all fluids, solids, and gases that will be used in conducting your business. Describe how these materials will be used, where they will be stored, and the expected quantity. None

[Space Above This Line For Recording Data]

MAINE R. E. TRANSFER TAX PAID

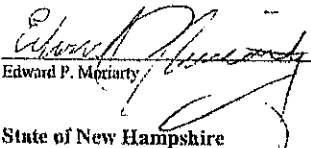
Warranty Deed

I, Edward P. Moriarty, unmarried, of 116 Goodwin Road Elliot ME 03903 for consideration paid, grant to Kathleen M. Moriarty, married of 36 Main Street, South Berwick, ME 03908 with WARRANTY COVENANTS as joint tenants with rights of survivorship

FOR LEGAL DESCRIPTION SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF.



Meaning and intending to convey the same premises conveyed to Edward P. Moriarty and Dorothy J. Moriarty by deed Dated April 19, 1973 and Recorded with the York Registry of Deeds on April 20, 1973 at Book 1989 Page 217. Edward P. Moriarty is the surviving joint tenant of Dorothy J. Moriarty. Date of deceased is _____

Witness my hand this **First day of March, 2002.**


Edward P. Moriarty

State of New Hampshire
County of **ROCKINGHAM**

In **Portsmouth** on the **First day of March, 2002** before me personally appeared **Edward P. Moriarty** who being known to me, or satisfactorily proven, to be the party executing the foregoing instrument, and he acknowledged said instrument, by him executed, to be his free act and deed.

(PRINT OR TYPE NAME AND ADDRESS OF GRANTEE)
Kathleen M. Moriarty 116 Goodwin Road, Elliot, Maine 03903

Mary F. Qua

Exhibit A - Property Description

DEED

A certain tract or parcel of land with the buildings thereon, if any, situated at the intersection of Goodwin Road and Frost Hill Road in the Town of Eliot, County of York, State of Maine, bounded and described as follows:

Beginning at a hub set in the ground at the intersection of said Goodwin Road and said Frost Hill Road and the northwesterly corner of the land herein conveyed and thence running easterly by Frost Hill Road, four hundred eighty-five (485) feet to a hub set in the ground; thence

Turning and running at right angles southerly by other land of grantors, four hundred seventeen (417) feet, more or less, to line of land of Hanscom; thence

Turning and running westerly by line of land of said Hanscom, four hundred (400) feet, more or less, to a hub set in the ground at said Goodwin Road; thence

Turning and running in a northwesterly and then northerly direction by said Goodwin Road to a hub set in the ground and the point of beginning.

Summit Title Services, Inc.
166 South River Road
Bedford, NH 03110
Fax: (603) 626-8966

RECEIVED YORK S.S

2002 MAR -4 AM 11: 06

WITNESSES: *John M. Meier*
REGISTER OF DEEDS

*7
LWS*

From: [Karen Hughes](#)
To: [Planner](#)
Cc: [Mark Moriarty](#); COCONUTSMILE@AOL.COM; [Shelly Bishop](#); [Kim Tackett](#)
Subject: Re: Home business application Moriarty Electric Company
Date: Tuesday, March 5, 2024 3:05:41 PM
Attachments: [DRIVEWAY ENTRANCE PLAN 2023.pdf](#)
[Barn business blueprint.pdf](#)

Dear Jeff,

We would like to apologize for the oversight of the acknowledgement of the Home Business application notice you sent via email on 2/14/24. It was only recently seen by Kathleen after the meeting had taken place and had gone to both mine and Marks junk mail folder. We are responding to your request for additional information and explanation to the below referenced application for our home business application completeness. We hope this information satisfies your request for further review.

The application for PB23-22: 324 Goodwin Rd. (Map 66, Lot 46): Home Business Application- Professional office and equipment storage was deemed incomplete during the initial review and scheduled for review on March 19th, 2024. Please find the information requested under the recommendation portion of the review below.

- **Hours of operation sought for approval: 7am to 5pm, no days of week listed in application**
 - Monday-Friday
- **A rationale substantiating that the proposed use (equipment storage) is similar to a permitted use as allowed in the Rural zoning district [45-456.1e1]**
 - The proposed use was submitted as a Professional Office, not equipment storage, per the attached Home Business Application as the equipment storage, trucks, 3 or more are not allowed according to Sec. 45-290. Table of permitted and prohibited uses. The aforementioned table indicates that a Home Business is allowed with CEO approval and the Professional Office use is SPR 8.
- **More information on the type of equipment to be stored, to inform 45-456.1(1) and possibly other standards**
 - It must be clarified that the proposed storage of equipment is inclusive of equipment that is necessary for the proposed home business/professional office use for a Master Electrician.
 - Paperwork related to the business practice of running an electrical contractor's office such as the IRS recommended 7-year hold on taxes, payroll, vendor invoices/payments, banking documents, former employee records, as well as any other auditable materials.
 - Customer information regarding the scope of work performed at their residence/commercial location.
 - Storage for office equipment materials related to having a professional office such as reams of paper, tri-copy job slips, business cards, stationary, writing implements, office furniture, desk organization bins, additional cleaning supplies and paper products and other miscellaneous office supply overflow.
 - Storage for specific electrical/mechanical/generator related products are minimal left-over materials that cannot be return to vendor/supply houses that will be useful for other/future jobs.
 - Storage of generator maintenance kits & parts- similar to equipment kept on hand at Auto Repair Garages/Farm Equipment Stores as approved in Sec. 45-290. Table of permitted and prohibited uses.
 - Small training/education space with desk, chairs, table, and laptop computers and internet access for continued education for license and certification renewals.
 - Seasonal decoration storage.
 - Lawn maintenance equipment such as hand tools, rakes, shovels etc. similar to equipment kept on hand for gardening as approved in Sec. 45-290. Table of permitted and prohibited uses.
 - We had to move our generator maintenance kits to the barn to make room for

everything that came out of Bonny and Larry Bates home while they renovate the roof and home. When the house is completed and they move back in we will be moving all our generator maintenance and electric stock from the barn back to 327 Goodwin Road.

- **A sketch showing the layout of the 1,500 sf of propose home business space for professional office within the barn.**
 - Proposed Professional Office space is 1,500 sf.
 - Remaining 1,500 sf for personal storage/open space; i.e. riding lawn mower, push mower, rototiller, snow blower, 4-wheelers, dirt bikes, table saws, chain saws, wrestling matt, garden tools
- **Description of how business vehicles will enter and exit the property (e.g. driveway location)**
 - Business vehicles will enter and exit the property via the existing driveway (2) locations- the entrance on Frost Hill Road and Goodwin Road.

Thank you for considering Moriarty Electric Company for all of your electrical and generator needs.

Regards,

Karen E. Hughes
Moriarty Electric Company
Office Manager
327 Goodwin Road, Eliot, ME 03903
p. 207-439-7247
f. 207-439-7244

From: Planner <jbrubaker@eliotme.org>
Sent: Monday, March 4, 2024 11:46 AM
To: Karen Hughes <karenh@moriartyelectric.com>
Cc: Mark Moriarty <markm@moriartyelectric.com>; COCONUTSMILE@AOL.COM <coconutsmile@aol.com>; Shelly Bishop <sbishop@eliotme.org>; Kim Tackett <ktackett@eliotme.org>
Subject: RE: Home business application

All,

The Planning Board did not take any action on your application at their 2/20 meeting. I – and I think the Board as well – assumed someone would be present at the meeting to answer questions and provide the additional information as requested below and in the staff report.

If you can provide the additional information as requested below, we can look to agendizing your application again for the next available PB meeting for continued review.

Thank you,

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Planner

Sent: Wednesday, February 14, 2024 9:55 PM

To: Karen Hughes <karenh@moriartyelectric.com>

Cc: Mark Moriarty <markm@moriartyelectric.com>; COCONUTSMILE@AOL.COM; Shelly Bishop <sbishop@eliotme.org>; Kim Tackett <ktackett@eliotme.org>

Subject: Home business application

All,

The home business application for 324 Goodwin Rd. is on next Tuesday's Planning Board agenda ([PDF](#)). The meeting starts at 6pm and attendance can be either in person or on Zoom.

My staff report is attached. Recommendation is to deem the application incomplete, with the following additional information needed:

- A rationale substantiating that the proposed use (equipment storage) is similar to a permitted use as allowed in the Rural zoning district [45-456.1e1]
- More information on the type of equipment to be stored, to inform 45-456.1(l) and possibly other standards
- A sketch showing the layout of the 1,500 sf of proposed home business space within the warehouse
- Description of how business vehicles will enter and exit the property (e.g. driveway location)

If the above information can be provided prior to, or at, the Planning Board meeting, to the satisfaction of the Board, a completeness determination may be recommended. In which case the Board would set a public hearing date.

Please let me know if you have any questions.

Jeff Brubaker, AICP
Town Planner
Town of Eliot
(207) 439-1813 x112

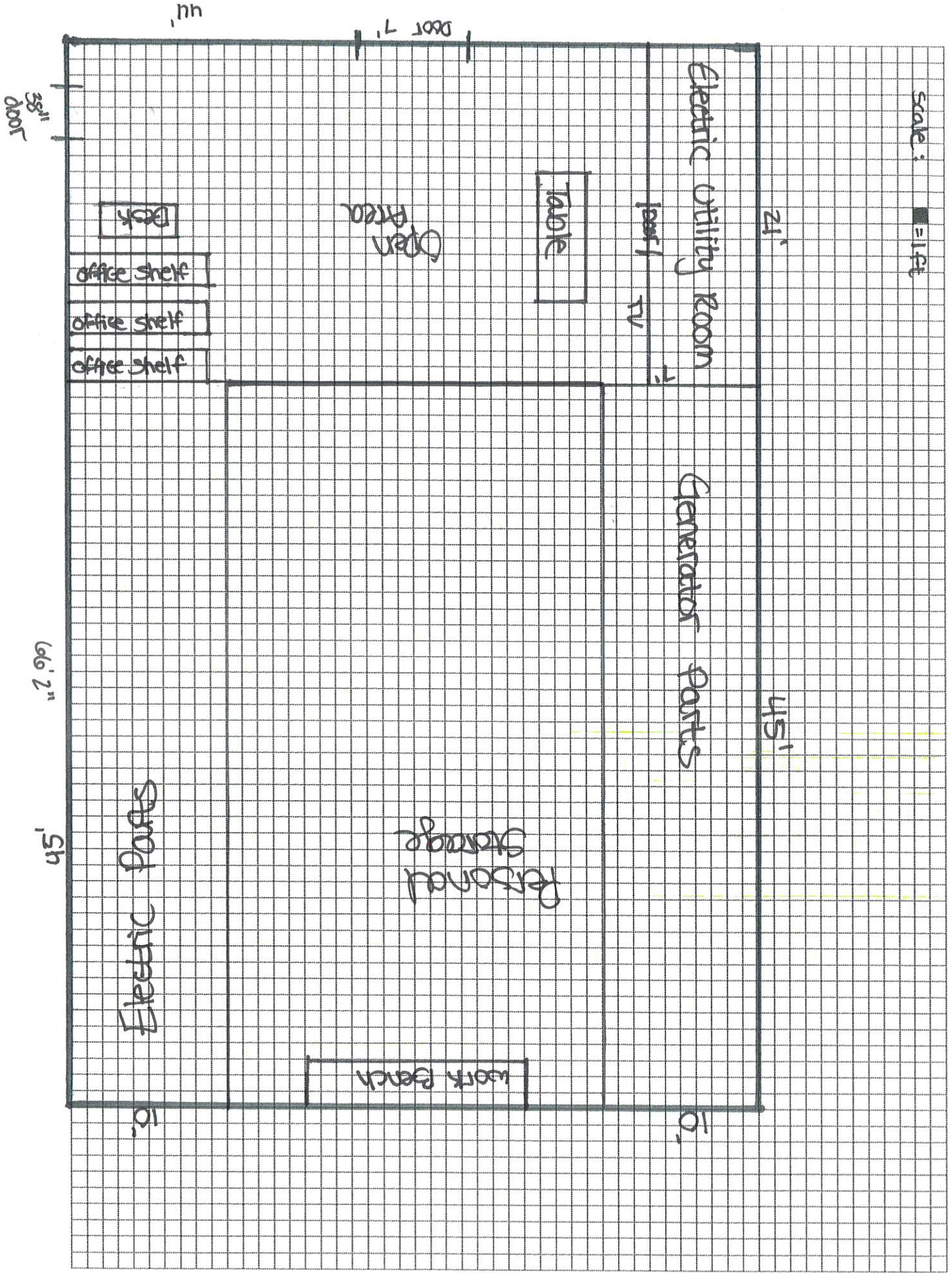
Office Hours: Mon-Thurs, 7:00am-5:00pm by appointment

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.



COLOR CODE:
PARKING LOT
WAREHOUSE
DRIVEWAY ENTRANCE

KATHLEEN MORIARTY
 324 GOODWIN RD
 ELIOT, ME





TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: Kenneth A. Wood, PE, Attar Engineering, Applicant’s Representative
 Shelly Bishop, Code Enforcement Officer
 Date: March 14, 2024 (report date)
 March 19, 2024 (meeting date)
 Re: PB23-07: 708 River Rd. (Map 50, Lot 29) – Residential Subdivision (4 lots) – preliminary plan

Application Details/Checklist Documentation	
Address	708 River Rd.
Map/Lot	50/29
PB Case#	23-07
Zoning District(s)	Suburban
Shoreland Zoning District(s)	None
Property Owner(s)	Alan and Frances Newson
Applicant Name(s)	Alan and Frances Newson; Agent: Attar Engineering, Inc.
Proposed Project	4-lot conventional residential subdivision
Sketch Plan	
✓ Application Received by Staff	March 16, 2023
Application Sent to Staff Reviewers	Not sent at sketch plan review
✓ Application Reviewed By PB	May 16 and September 5, 2023
Site Walk	None
Site Walk Publication	N/A
✓ Sketch Plan Approval	September 5, 2023
Preliminary Plan	
✓ Application Received by Staff	November 7, 2023; January 18, 2024 (with additional info requested by staff)
✓ Fee Paid and Date	January 18, 2024
✓ Application Sent to Staff Reviewers	Emailed to ECC on January 24, 2024; ECC review February 7
✓ Notice Mailed to Abutters	January 23, 2024 (on or about)
✓ Application Reviewed by PB	January 23 and February 20, 2024
✓ Application Found Complete by PB	February 20, 2024
✓ Public Hearing	March 12, 2024

✓ Public Hearing Publication	March 1, 2024 – abutter notice sent based on 500 ft. distance from updated lot lines
Preliminary Plan Approval	
Final Plan	
Application Received by Staff	
Fee Paid and Date	
Application Reviewed by PB	
Public Hearing (if any)	
Public Hearing Publication	

Overview

Applicants seek to subdivide the 17.1-acre parcel at the subject address into four (4) residential lots. As noted in the 3/14/23 cover letter, one lot will contain “the existing dwelling and barn, and the remaining three will have proposed single[-]family houses and accompanying driveways and features”. The existing parcel is located on the inside of the curve of River Rd. as it turns eastward to State Rd.

The proposal is a land subdivision; the 1/18/24 cover letter notes: “There is no proposed development of the three proposed new lots at this time. All lots are to be sold as is and developed at a later date.” As such, the applicant included a letter of the same date requesting waivers of various standards and application information. On February 20, the PB approved some information waivers while continuing to hold the applicant to certain standards they wanted waived.

On March 7, in response to PB review (informed by ECC review comments), the applicant submitted an updated preliminary plan, an erosion and sedimentation control plan, and a cover letter. This submittal did not leave much time for PB or Town Planner review, so after the March 12 public hearing, the review was continued to this meeting.

At the time of writing this staff report (afternoon of March 14), an updated preliminary plan is expected from the applicant with added notes re: fixed location of driveways and wetland markers.

Waivers (see 2/20/24 meeting for full motions)

- 41-256 – reservation of parks/rec land; instead requiring \$1,500 payment-in-lieu per new lot (not applicable for existing house lot) to go to William Murray Rowe Park capital improvements
- Submission requirements (41-67); submission requirements of 41-150:
 - (11) – High intensity soils report
 - (21) – Estimated progress schedule

Needed waiver

Waiver of 41-221(b)(4) is recommended. That paragraph states: “The planning board shall require a subdivider to restrict or eliminate access from individual lots to collector or arterial streets.”

Preliminary plan completeness

February 20, 2024

Affidavit of ownership

Warranty deed from Patsy White to Frances Newson, dated 9/1/22 (previous packet)

Zoning

Suburban; no shoreland zoning

Dimensional requirements

Standard	Planner review
Min. lot size: 2 acres [41-255; 41-218(e); 45-405]	Met. Lot 1 is ~4.8 ac. and Lots 2-4 are ~4.1 ac.
Min. street frontage: 150 ft.	Met. Lot 1: 215 ft. Lots 2-4: 150 ft.
Min. street frontage waiver/modification	N/A
Setbacks: appropriate for location of subdivision and type of development/use contemplated [41-255]. 45-405 setbacks: 30' front/20' side/30' rear	Met. Setback lines and dimensions shown on sketch plan.

Ch. 41, Art. IV – General Requirements

Section	Standard/ summary	Planner review
41-212	Air quality	Met or N/A.
41-213	Water quality	Appears to be met for applicable requirements. Applicant has added plan note #8: “Any proposed developments to the subdivided lots shall maintain the natural state of watercourses, swales, and floodways as nearly as possible and shall not create undue erosion, drainage, or runoff problems in either the subdivision or in adjacent properties. Any necessary culverts, swales, and drainage control measures shall be designed accordingly.” Drainage easements not expected to be needed. Culverts are shown at driveways with note “Culvert to be located and sized to preserve natural drainage behavior.” Soil test pit results provided and reviewed previously.

41-214	Soil quality and erosion-sedimentation control	<p>Appears to be met for applicable requirements. Applicant provided ESC plan to address PB/ECC comments. In summary, the plan covers:</p> <ul style="list-style-type: none"> • Sediment barriers prior to construction • Temporary and permanent vegetation, mulching, and seeding of lawn area, slopes, swales, material stockpiles • Stabilization of disturbed areas within 7 days • Stabilized construction entrance • Slopes treated with geotextile (jute) fabric and rip rap depending on slope steepness • Control of excessive dust • Erosion control mix berm alternative • Adequate housekeeping • Whenever practicable, no disturbance to take place within 50 ft. of protected natural resource. Additional erosion controls for disturbance within 75 ft. of a protected natural resource. • Prevention/control of non-stormwater discharges. • Contractor inspection/maintenance during construction • Driveway standards • Winter construction notes • Culvert inlet/outlet protection
41-215	Preservation of natural resources and scenic beauty	<p>Appears to be met for applicable requirements. Note #9 added to plan per PB/ECC review, and addressing public comment: “No wetlands as shown on this plan may be filled or drained by future owners except as required to construct driveways and associated drainage measures needed to service the subdivided lots proposed by this plan. This restriction shall be noted in the deeds for individual lots.” Note #10 states: “At such time that the lots are to be developed, wetland boundaries are to be marked.” Note #10 is expected to be updated to require markers to be placed earlier than lot development.</p>
41-216	Preservation of historical features and traditional land use pattern	<p>Appears to be met.</p>
41-217	Water supply	<p>Appears to be met.</p>

41-218	Sewage disposal	<p>Appears to be met. New lots will need to be served by septic systems located in appropriate soils. Soils report in 5/16/23 packet shows Class C and D soils with groundwater depth between 10” and 24” for 13 test pits. Test pit locations are shown on the plan.</p> <p>5/18/23 applicant letter summarizes the test pit results showing all depths to the restrictive layer exceed the State’s Subsurface Wastewater Disposal Rules (10-144 CMR 241). Subdivision plan includes a test pit data table.</p>
41-220	Relationship of subdivision to community services	<p>There is no open space lot provided, unlike with earlier sketch plan iterations, but the lots are substantially larger than the minimum lot size and the suggested house locations are at the front of the parcels, with the rear of the parcels shown as undeveloped.</p>
41-221	Traffic and streets	<p>Appears to be met, subject to 41-221(b)(4) waiver. The subdivision does not propose any new streets but rather 3 additional driveways onto River Rd. Applicant requests a waiver from these standards. PB did not grant, as many are inapplicable. Safe access to and from River Rd., appears to be reasonably met given the driveway locations. Per PB review, the applicant is updating to plans to note that the driveway locations shall be fixed unless otherwise required by DEP or another permitting entity. The individual driveways onto River Rd. may be seen as conflicting with 41-221(b)(4), which restricts or eliminates individual lot access onto collector or arterial roads; entertaining a waiver under 41-66 is recommended for this.</p>
41-222	Public health and safety	<p>Appears to be met.</p>
41-223	Local/state/federal land use policies	<p>On March 12, the applicant was asked about DEP review. It is not clear if DEP review is needed but it is up to the applicant to confirm that. Any needed DEP/other permits should be provided prior to development of the lots.</p>

Subdivision Design Standards

Section 41-255 – Lots

Discussed further in previous reports. Standard is met.

Section 41-256 – Reservation of land

Standard is met with PB waiver and applicant payment-in-lieu (see above).

Wetlands and drainage

Discussed in previous staff reports and PB reviews. See above table.

Vernal pools

See previous staff report.

Other notes

- Property is not in a flood zone

Recommendation

Approve 41-66 waiver for 41-221(b)(4) – driveways. Approve preliminary plan with conditions – ref. Section 41-147.

Motion templates

Waiver

Motion to approve a waiver of 41-221(b)(4). The Planning Board finds that individual driveway access from the three new lots to River Rd. is acceptable given the small number of lots and expected minimal traffic impact. The provision of a shared street or drive for all three lots is not requisite in the interest of public health, safety, or general welfare.

Approval with conditions

Motion to approve the preliminary subdivision plan for PB23-07 at 708 River Rd. (Map 50, Lot 29) with the following conditions:

1. This approval incorporates by reference:
 - a. The previously approved waiver and payment-in-lieu requirement related to 41-256, approved on February 20, 2024.
 - b. The previously-approved waiver of Section 41-221(b)(4), approved on March 19, 2024.
2. Per Section 41-173, applicant shall confirm DEP and-or other state/federal permitting requirements (if any) prior to submittal of final plan, and documentation of any such permits/approvals shall be provided to the Code Enforcement Officer prior to (or along with) building permit applications for any of the three new lots.

[if needed, add conditions regarding wetland marker placement and driveway locations]

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner

TOWN OF ELIOT, MAINE

PLANNING BOARD NOTICE OF DECISION

CASE #: **PB23-171 – SITE PLAN REVIEW**

**AMENDMENT/MINOR CHANGE/TO
SPREAD EXISTING SOIL ON-SITE FOR
SAMPLING**

MAP/LOT: **55/4&8**
22 ARC ROAD

DATE OF DECISION: **10-17-2023**

3/6/2023

DRAFT

Mr. Joseph Brady
40 Pleasant Street
North Reading, Massachusetts 01864

WIN Waste Innovations/Wheelabrator Holdco1
c/o Matthew Hughes
90 (100) Arboretum Drive
Suite #300 (310)
Portsmouth, NH 03801

To: Mr. Brady
Mr. Hughes

This letter is to inform you that the Planning Board has acted on your **Site Plan Review/Amendment to amend a previously-approved site plan (PB22-1) to sample existing soil stockpile and spread to a consistent thickness onsite within the existing berms.**

APPLICATION DOCUMENTS AND SUPPORTING MATERIAL SUBMITTED:

SUBMITTED FOR OCTOBER 17, 2023:

1. Application for Site Plan Review/Amendment, received July 5, 2023
2. Quitclaim Deed and Exhibit A, Book18307/Page240, registered at the York County Registry of Deeds, dated July 16, 2020.
3. Google Earth Sheets 1, 1A, 1B, & 1C showing pertinent zoning districts, boundaries, setbacks, and soil spreading area, dated April 25, 2023.

FINDINGS OF FACT:

1. The owner of the property is: WIN Waste Innovations/Wheelabrator Holdco1 (mailing address: 90 (100) Arboretum Drive, Suite 300 (310), Portsmouth, NH 03801).
2. The applicant is: Mr. Joseph Brady (mailing address: 40 Pleasant Street, North Reading, Massachusetts 01864).
3. The property is located at: 22 Arc Road and is 31.5 acre.
4. Property can be identified as: Assessor's Map 55/ Lots 4 & 8 and is located in the Suburban District.
5. The applicant proposes to amend a previously approved Site Plan (PB22-1) to sample existing soil stockpile and spread to a consistent thickness onsite within the existing berms.
6. There is no Shoreland Zoning at proposed location.
7. This is a private road.
8. Proposed use is "industrial establishment and uses".
9. Project is allowed under "Earth Material Removal, 100 cubic yards or greater" and is a SPR in the Suburban District.

10. In this case, under 'Earth material removal, performance standards' §33-181 exempts movement of earth materials from one portion of a parcel to another on the same parcel or a continuous parcel of the same owners.
11. Previously, the pertinent location was a bark mulch operation.
12. Site location is approximately 3 to 4 acres, holds approximately 90,000 cubic yards of earth material, and partially straddles Map 55/Lots #4 & #8.
13. Earth material is to be bull-dozed to a consistent level of approximately 15 feet in height.
14. Three berms located on three sides of the soil materials pile will remain.
15. Because of required Department of Environmental Protection (DEP) rules for sampling earth materials, there is a robust set of data available.
16. The whole site includes Map 46/Lot 5, Map 54, Lot 9-1, and Map 55/Lots 4&8. The pertinent location covers Map 55/Lots 4&8.
17. DEP jurisdiction for this site facility has a substantive review role, to include waste transfer, on-site activities, and licensing:
 - Applicant has transferred all pertinent licenses for the facility, as a whole, except for this soil pile location.
 - Soil pile location (Map 55/Lots4&8) license will be transferred once the legacy issue the DEP is working on with the prior owner is resolved.
 - Finding beneficial use for this material offsite has proven unsustainable.
 - Applicant is looking to find a more sustainable on-site beneficial use.
 - Applicant has been approached with a proposal of a future solar array at this location once soil sampling and spreading is completed.
 - Applicant is in discussion with the DEP regarding the potential future use of a solar array on this site.
18. Applicant will copy the Planning Board with DEP updates for this project.
19. Site is served by private septic and well
20. The Planning Board reviewed the application at the following regular meeting:
 - October 17, 2023.
21. On October 17, 2023, the Planning Board agreed by consensus that the proposed revisions to the previously approved Site Plan were minor, did not result in any substantial changes to the approved development, or further impact abutters and, therefore, did not require full site plan review.
22. There was no site walk or public hearing held.
23. The following fees have been paid by the applicant:
 - Site Plan Amendment Fee: \$100.00 paid
24. Copies of the application and supporting materials were sent to the Code Enforcement Office, Public Works, Police Department and Fire Department. There were no written comments submitted.

PERMITS:

The Planning Board has approved your application and the Code Enforcement Officer is authorized to grant you the necessary Permits or Certificates of Occupancy, as appropriate. It is your responsibility to apply for these permits. In exercising this approval, you must remain in compliance with all the conditions of approval set forth by the Planning Board, as well as all other Eliot, State, and Federal regulations and laws. Be aware, however, that Site Plan approvals (including home businesses) that are granted by the Eliot Planning Board have expiration provisions specified in Section 33-59 of the Town of Eliot Code of Ordinances, which states:

Site Plan expiration §33-59:

The approval of a site plan review under chapter 33, article III shall expire if the work or change involved does not commence within two years of the date the planning board makes its determination of approval under section 33-131, or if the work or change is not substantially completed within three years after such date.

The holder of an approved permit should take care to ensure that the approval granted on **October 17, 2023** does not expire prior to commencement of work or change.

CONCLUSIONS:

1. Revisions to previously approved Site Plans are allowed with Planning Board approval under Section 33-140 (Revisions to final Site Plans after Planning Board approval).
2. All applicable criteria and/or ordinance requirements of Chapter 45 and Chapter 33 have been addressed by the Planning Board during review of this application.
3. The Planning Board determined that the proposed revision to the approved site plan was minor and did not result in any substantial changes to the approved development or further impact abutters and, therefore, did not require full site plan review.

DECISION:

Based on the above facts and conclusions, on **October 17, 2023**, the Planning Board voted to approve your application to amend a previously-approved site plan (PB22-1) to sample existing soil stockpile and spread to a consistent thickness onsite within the existing berms.

CONDITIONS OF APPROVAL:

The applicant must comply with all requirements of the Town of Eliot Land Use Ordinances. In addition, to further promote the purposes of the (Eliot Zoning Ordinances), the Planning Board has voted to impose the following conditions on the approval of this application:

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.**
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.**

APPEALS:

This decision can be appealed to the Board of Appeals within 30 days after **October 17, 2023** by an aggrieved person or party as defined in Sec. 1-2 and Sec. 45-50(b) of the Eliot Zoning Ordinance. Computation of time shall be in accordance with general provisions of the Town of Eliot Municipal Code of Ordinances, section 1-2.

Sincerely,

Christine Bennett, Chair

This letter reviewed and approved by the Planning Board on _____, 2024.

CC: Donald Ferrara, Tax Assessor
Shelly Bishop, Code Enforcement Officer
Jay Muzeroll, Fire Chief
Elliott Moya, Police Chief
Mike Sullivan, Public Works Director